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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 23, 2020.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 10:50 a.m.

NEED FOR ACTIVE FOREST MANAGEMENT

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

Mr. MCCLINTOCK. Mr. Speaker, last week, President Trump came to California to be briefed on the horrific fires now raging in that State. Instead, he got a lecture from Governor Newsom and his staff on climate change.

Well, if Gavin Newsom actually believes that if we all just ride our bikes to work and set our thermostats to 80 degrees that these wildfires will go away, then he is completely delusional.

Excess timber comes out of the forest in only two ways: It is either carried out or it burns out. For most of the 20th century, we carried it out. It is called logging.

Every year, the U.S. Forest Service foresters would mark off excess timber, and then we auctioned it off to lumber companies that paid us to remove it, funding both local communities and the forest service. We auctioned grazing contracts on our grasslands. The result was healthy forests, fewer fires, and a thriving economy.

But beginning in the 1970s, we began imposing environmental laws that have made the management of our lands all but impossible. Draconian restrictions on logging, grazing, prescriptive burning, and herbicide use on public lands have made modern land management endlessly time consuming and, ultimately, cost prohibitive. A single tree thinning plan typically requires 4 years and more than 800 pages of analysis. The costs of this process exceed the value of timber, turning land maintenance from a revenue-generating activity to a revenue-consuming one.

Since 1980, these laws have produced an 80 percent decline in timber harvested off of the Federal forests and a concomitant increase in acreage destroyed by fire. In California, the number of sawmills has declined from 149 to just 27.

Now, these laws were passed with the promise they would improve the forests. Well, after more than four decades, I think we are entitled to ask: How are the forests doing?

An untended forest is just like an untended garden. It will grow and grow until it chokes itself to death. In a morbidly overcrowded State, stressed trees fall victim to disease, pestilence, drought, and, ultimately, catastrophic wildfire. In many regions of the Sierra, timber density is now four times greater than the land can support.

We have been trying for years to reform these laws, resume active forest management, and restore our forests to health; yet the environmental leftists have blocked us every year. Instead, politicians use the excuse of climate change.

Really? These environmental laws generally apply only to public lands. Today, you can easily tell the boundaries between private and public lands solely on the condition of the forests. How clever of the climate only to decimate the public lands.

The climate has changed much over the centuries, but the problem has not. When Juan Cabrillo dropped anchor in Santa Monica Bay in October of 1542, the height of the Santa Ana fire season, he named it the Bay of Smoke. Before western civilization, paleontologists tell us that we lost between 4 and 12 million acres a year to wildfire in California.

Modern forests and land management brought that destruction down to just a quarter of a million acres during the 20th century. That annual destruction is now back up to 3 million acres a year.

That is not a new normal; that is the old normal reasserting itself. That is not climate change; that is how nature deals with overgrown lands. And once destroyed, it can take centuries for our forests to regrow.

We began active forest management to break that cycle. We decided we wanted every generation to enjoy our forests. So we introduced scientific forest management to do a little gardening and keep our forests healthy by suppressing brush and harvesting excess timber so it couldn't crowd itself to death. And it worked, until the environmental laws abandoned science for ideology.

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The planet has been warming and cooling for millennia. Warmer temperatures make it all the more important to match tree density to the ability of the land to support it. That means more logging, not less.

California has taken draconian measures to reduce carbon dioxide emissions, at a terrible cost for the quality of life of Californians. We now suffer some of the highest costs for energy in the country; we have destroyed our manufacturing base; and we can't guarantee enough electricity to keep our refrigerators running. Yet a single catastrophic fire makes a mockery of all of these laws and the sacrifices they impose on our people.

Governor Newsom says he has no patience for such views. Well, that is a tragedy for all Californians and for all of California's forests.

IN SUPPORT OF THE VETERAN HIGH ALTITUDE AND SUICIDE RESEARCH ACT

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

Mr. MCADAMS. Mr. Speaker, I rise today to speak on the VA High Altitude and Suicide Research Act. I introduced this bipartisan bill to combat a very serious threat to our veteran population.

After serving and protecting our country, our veterans return home only to face new threats. Studies show that veteran suicide is one-and-a-half times higher than nonveteran suicides.

We must do everything we can to understand why our Nation's heroes are taking their own lives, and we must do more to prevent more tragic deaths.

In talking with suicide prevention experts in my home State of Utah, I am told that we need to better understand the possible connection between high altitude and suicide. That is what my bill does.

The VA High Altitude and Suicide Research Act compels the VA to study the link between veteran suicide and high altitude. It also requires the VA to establish effective treatment plans that respond to the threats and to save lives.

As a nation, we have a responsibility to prevent future tragedies and provide these servicemembers with the care that they so desperately deserve.

I thank the House for taking up this important legislation, and I urge adoption.

SUPPORT FOR A SUSTAINABLE, CLEAN ENERGY ECONOMY

Mr. MCADAMS. Mr. Speaker, I rise today to speak in support of two of my bills included in the Clean Economy and Jobs Innovation Act. This legislative package takes bold and important steps toward a sustainable, clean energy economy. It is not only good for our health and for our environment, but it is good for our economy.

I am particularly pleased to see my legislation included in the package, the Solar Energy Research and Development Act. This bill authorizes solar energy research, development, and deployment within the Department of Energy.

Utah is a national leader in solar technology and is projected to produce over 1,000 megawatts of solar power in the next 5 years. My bill addresses the very serious threat of climate change, while supporting clean energy jobs.

I am also pleased to see my air quality bill included. The Background Ozone Research Study Act directs the EPA and the National Academies of Science to study the sources of background ozone pollution and to provide actionable steps for cleaning our air.

Mr. Speaker, this bill supports our clean energy economy and addresses our very serious need to address the climate crisis.

IN SUPPORT OF THE FAITH IN CONGRESS ACT

Mr. MCADAMS. Mr. Speaker, I rise in support of the FAITH in Congress Act. This bipartisan legislation, introduced by my colleague STEPHANIE MURPHY, seeks to restore trust and faith in Congress as an institution.

As I travel throughout my district and talk with Utahns, there is a common theme that I hear from people of all political walks. That is that our political system is broken, and we need to change the way Washington does business. So this bill takes commonsense, concrete steps to restore that faith through five central pillars:

No automatic pay increases for Members of Congress, which I have fought against since I was first sworn in;

No budget, no pay;

No first-class Member travel at taxpayer expense;

A lifetime ban on lobbying by former Members of Congress; and

Prioritizing bipartisan bills over partisan bills.

That is it. Five simple steps that we should all be able to rally behind.

Mr. Speaker, this is common sense, and I urge the House to take up and pass this legislation without delay.

HONORING STAFF ASSISTANTS, LEGISLATIVE CORRESPONDENTS, AND LEGISLATIVE ASSISTANTS

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

Mr. SHIMKUS. Mr. Speaker, today, I rise to thank those young men and women who have served the people of Illinois and the country as staff assistants, legislative correspondents, and legislative assistants.

I include in the RECORD a list of their names.

Blanford, Thomas; Blanford, Meredith; Boyer, Davis; Cardon, Flavio (Amaya); Chang, Albert; Chiang, Alex; Clanahan, Chase; Culp, Grant; Daulby, Jen; Davidsmeyer, CD; DeWitt, Bret; Esposito, Tony; Flanigan, Matt; Goldenstein, Jim; Hatzis, Luke; Haverly, Jordan; Jamison, Reno; Johnson, Matt.

Kirsh, Ari; Lange, Kelly (Childress); Lloyd, Amy (Mathews); Madden, Steve; Mateer, Mike; Mesack, Michelle (Yahng); Miniat, Charlie; Nordquist, Matt; Olson, Bill; Olson, Richard; Pfister, Sam; Reinhard, Courtney (Anderson); Risolute, Scott; Sarley, Chris; Schonert, Neil; Tvrdy, Joe; Uram, Steve; Wolf, Saralyn (Tucker); Youssefiani, Darius.

Mr. SHIMKUS. Mr. Speaker, staff assistants are the first person a visitor sees or hears in my D.C. office. First impressions are lasting impressions, so even though they are the lowest on the totem pole, they are very important.

Staff assistants welcome visitors from the district. They help direct them and, many times, conduct tours of the Capitol. They help constituents with hotel information and lists of other tourist venues.

Flags flown over the Capitol are highly sought after. These flags are requested for memorial events and thank-yous. Many times they are needed in a timely manner and, most times, have a specific date that the flag should be flown. Staff assistants ensure that this is done.

The tough part of the job is answering the phones. Sometimes these calls are overwhelming and will get rolled to another staff member. Many times the callers are just plain mean and nasty. Just like in baseball, if the caller says the magic words, they are gone. There is no need to put my staff in that position. It is sad that adults act this way and young adults have to put up with it.

The next position in my office is the legislative correspondent. For me, these folks are concerned with writing and mailing letters in response to inquiries. Since I do not do bulk mailings, this job is even more important in that individual letters received by my office receive an individual response by me. Most of the time, I have constituents thanking me for responding. Very few times did we drop the ball, and if we did, I would circle back with my staff and we would get a letter out.

The legislative correspondent has the legislative assistant's help with the letter, which will be reviewed by my legislative director and the chief of staff. The legislative correspondent gets an idea of the width and the breadth and the depth of policy issues that constituents are concerned with. It is a great place to start.

Sometimes, on a very contentious issue, I will draft the letter myself. These letters have to come from the heart.

Legislative correspondents usually move to the legislative assistant position. Legislative assistants start specializing in specific policy areas. They may have some background in these areas, or they can be totally foreign to them. This is where a college degree based upon research, analysis, and writing pays off.

As a member of the Energy and Commerce Committee, my subcommittees have to be covered. But it is not uncommon for staff members to carry a diversified portfolio of issues that they have to follow.

Can you imagine having to follow the evolving world of energy issues while also being responsible for education, veteran affairs, and foreign policy? This is a smaller example of the larger issues Members have to be on top of every day. The only way we can do that is with the help of our legislative assistants, and for that, I thank them.

From this position, some have continued to become legislative directors, work on a committee, become chief of staff, work in the private sector, or return home to start other careers. Some may even find their way back to D.C. as a Member of Congress. This does happen.

What a great benefit to have these young men and women sacrifice their time to serve the country. It is stressful; there are long hours; their compensation is limited, especially considering the high cost of living in D.C.

Whenever they leave this place, they will have an appreciation that governing is difficult and that most Members come to D.C. with a real desire to serve, just as they did. They have my thanks.

□ 0915

CELEBRATING 100 YEARS OF WOMEN'S SUFFRAGE

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

Ms. LEE of California. Mr. Speaker, I rise today to speak in support of H.R. 1923, the Women's History and Nineteenth Amendment Centennial Quarter Dollar Coin Program Act. This bill will celebrate 100 years of women's suffrage by featuring women leaders from across the country on quarter dollar coins.

We have been working to advance this bill for over 3 years, and I am so proud to have the endorsement of various stakeholders and the support of the United States Mint and Treasury on this legislation.

Let me first thank my co-lead, Congressman ANTHONY GONZALEZ, as well as our Senate counterparts, Senators CATHERINE CORTEZ MASTO and DEB FISCHER, for their efforts, and for all of our staff for working diligently on this legislation.

And I thank my good friend Congresswoman MAXINE WATERS and the Financial Services Committee for their leadership and commitment to getting this bill to the floor. There is bipartisan and bicameral support for this legislation.

My good friend, Congresswoman BONNIE WATSON COLEMAN's legislation on semiquincentennial coins commemorating the 250th anniversary of the United States is included in this coin package, and I thank her for spearheading the efforts on that initiative.

Finally, let me thank my dear friend, former U.S. Treasurer, Rosie Rios, who was really instrumental in shaping this legislation years ago, and for her incredible work to raise the visibility of women in every space and place to reinforce the critical role women have played and continue to play in history. I am deeply grateful for her leadership.

Finally, let me just specifically acknowledge my staff, my former legislative director, Emma Mehrabi, for early on never missing a beat with diligence and strategic work in getting this bill to the floor, and also my current legislative director, Gregory Adams, who really has taken this bill to the finish line.

H.R. 1923 will create a new series of circulating quarters, starting in 2022, featuring trailblazing women in American history. It is my hope that women of all backgrounds, diverse American women, will be chosen and depicted, celebrating the accomplishments of our Nation's historical leaders, thinkers, innovators, activists, freedom fighters, women who have contributed to achievements in many, many fields: civil rights, abolition, suffrage, science, and technology, the arts and humanities, education. Because of these women our country is better for them and their leadership.

Much like the previous and celebrated 50 State Quarters program, the women featured on these coins and their images will be selected with broad public input. Each Governor will engage with members of the general public and local groups focused on increasing the inclusion of women or improving the quality of life for women to recommend a prominent, trailblazing woman to represent their State or territory to be featured on their State coin.

It is my hope that through this process the broader American public can engage in a dialogue and celebration of the contributions of these women, ensuring that their legacy and contributions are more widely known, understood, and valued in each and every corner of our country.

Mr. Speaker, driving to the Capitol this morning, traffic was stopped at the corner. I saw the hearse carrying the casket of our beloved Justice Ginsburg to the Supreme Court. I said a prayer as I witnessed the procession, and thought about her life and how she paved the way for racial and gender equality, and I thought about it in the context of this bill today, and the phenomenal women who this country will have a chance to get to know. I thank her for her life, her legacy, and for what she has done to ensure that women now have their rightful place in history.

RECOGNIZING BRAIN ANEURYSM MONTH

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

Mr. RUTHERFORD. Mr. Speaker, I rise today to recognize Brain Aneurysm Month, the time when we spread awareness of the signs and symptoms and seek increased research into treatment and prevention.

This month has a very special connection to northeast Florida that I would like to take just a moment to share.

Trinity Love Hoblit was born with a rare form of primordial dwarfism and grew to be only 29 inches tall. Despite her small size, the love and joy she brought into this world was larger than life. Throughout her life, she battled brain aneurysms and underwent numerous surgeries to help alleviate the symptoms.

Sadly, on June 30, 2015, Trinity passed away. She was only 14 years of age.

To continue her life legacy, her parents, Olivia and Phil Hoblit, established the Trinity Love Hoblit Foundation, headquartered in Amelia Island, Florida. Its purpose is to support and fund neurological research, training, and treatment for brain aneurysms, strokes, and other cerebrovascular conditions at hospitals in northeast Florida and around the country.

So in honor of Trinity and the foundation in her name, please listen closely to the risk factors and signs and symptoms of brain aneurysms.

The risk factors include: Smoking, high blood pressure, older age, alcohol and/or drug abuse, and family history.

The symptoms of a brain aneurysm include: Severe headache, pain above one eye or behind one eye, blurred or double vision, difficulty speaking or swallowing, numbness or weakness on one side of the body, and seizures.

Please do not ignore these symptoms, and promptly seek medical care if you experience any of them, especially if you are having the worst headache of your life. When it comes to brain aneurysms, awareness is the beginning of prevention and cure.

On behalf of the Fourth Congressional District of Florida, I offer my heartfelt thanks to Olivia and Phil Hoblit, the Trinity Love Hoblit Foundation, their board of directors, and advisory committee members for the lives they are helping to save every day.

Through their important work, the loving memory of Trinity Love Hoblit will live on forever.

JUSTICE FOR BREONNA TAYLOR

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

Mr. GREEN of Texas. Mr. Speaker, and still I rise, and I rise today, Mr. Speaker, on behalf of the many persons who are peacefully protesting and demanding justice for Breonna Taylor; peacefully protesting and demanding justice.

But I also rise, Mr. Speaker, for the many persons who may never protest, but believe that Breonna Taylor deserves justice.

I rise, Mr. Speaker, because my heart is heavy. It is difficult to comprehend some of the things that are happening in this country. It is expected that there will be some announcement in the near future as to the fate of the officers who were engaged in the no-knock intrusion; a no-knock intrusion.

Mr. Speaker, I want to tell you and the world what justice for Breonna Taylor would look like. Justice for Breonna Taylor would look the same as it would if Breonna Taylor were of a different hue. She was an African-American female. She was in her apartment. She was not breaking the law.

Justice for Breonna Taylor would look the same way it would look for Breonna Taylor if she was were a White woman; a White woman in her apartment; a White woman not breaking the law; a White woman who had the police intrude into her home, as it were, with a no-knock warrant. This is what justice would look like for Breonna Taylor.

And at some point in this country we have to acknowledge that there is a perception that there is a system of justice that is not blind, a system of justice that sees the color. And when the color of the person is known, justice can sometimes turn a blind eye.

So today I rise, and I demand justice for Breonna Taylor, the same justice that she would get if she were a different hue, in her home, 26 years old, committing no crime; the same justice.

And, finally, if we continue to allow the perception to exist that injustice can be justified, it will not bode well for our country.

I stand for peaceful protest, and I denounce any form of protest other than peaceful protest.

I demand justice for Breonna Taylor.

AGRICULTURAL SUMMIT FOR OUR FARMERS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, during the August recess I had the pleasure of hosting one of my favorite annual events, an agriculture summit in Cresson, Pennsylvania, Cambria County.

The event took place for the second year in a row at Mount Aloysius College, and I was pleased to have several special guests join me, both in person and virtually.

Participating in the summit to lend their expertise were: USDA Under Secretary Bill Northey; Pennsylvania Secretary of Agriculture Russell Redding; and Pennsylvania Farm Bureau President, Rick Ebert.

Joining our discussion were nearly 100 virtual attendees from across the Commonwealth of Pennsylvania.

Our discussion centered around a number of important policy issues impacting our Nation's farmers, including a discussion on what they hope to see in the next round of coronavirus relief.

I always look for opportunities to engage directly with farmers and ranchers and producers and processors. This year's agriculture summit provided valuable feedback about how the pandemic has affected rural America; feedback that will be critical as Congress continues to address the impacts of the pandemic on the agricultural sector.

Prior to the coronavirus, the farm economy had been in a multiyear slump. Just as things were starting to look up, with USMCA signed into law and new trade deals in the works, this pandemic hit all of us hard, particularly our farm families.

I have heard a great deal of positive feedback across the board about the USDA Farmers to Families Food Boxes. Not only is this program providing fresh, nutritious foods to families in need, it also is helping farmers sell crops that may otherwise go to waste.

I have been impressed with the quality of the program, particularly with the oversight and efficiency. Thanks to the Farmers to Families Food Box Program, more than 90 million boxes have been delivered to families in need.

Another program that has been helping our farmers is the Coronavirus Food Assistance Program, or CFAP. Now, I couldn't believe it, but one of the farmers I met while back in my district for August recess had not heard of the program and how it could help his family farm.

I want to urge my colleagues, especially now that the second round of CFAP has been made available, to continue to spread the word about this valuable resource.

While we have supported the agriculture industry in the previous COVID relief efforts, many of our farmers are wondering what is next.

It is my hope that we put politics aside and finally come together on a bipartisan agreement that will support our hardworking essential employees in the agriculture industry, as well as our critical industries.

□ 0930

RECOGNIZING COACH TOM FLORES

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

Mr. COSTA. Mr. Speaker, I rise today during Hispanic Heritage Month. We know that millions and millions of Hispanics for generations have made so many contributions to our country in every way of life.

Today, I want to recognize the distinguished career of Coach Tom Flores, a trailblazer in the Latino community in the sport of professional football.

A son of immigrants from Mexico, a native of my hometown, Fresno, California, Coach Flores was a gifted high school and collegiate athlete and later made an indelible mark on professional football.

Playing for the Oakland Raiders' silver and black, Flores became the first Hispanic starting quarterback in the NFL.

But his success didn't stop there. After ending his playing career, he went on to Super Bowl XI as an assistant coach for the Raiders. Whether they be the Oakland Raiders, the Los Angeles Raiders, or now the Las Vegas Raiders, we all know the silver and black, with a great deal of pride.

Four years later, he led the team to victory as a head coach, becoming the first Hispanic head coach to win a Super Bowl. He did it twice.

To this day, he is only one of two people in history to win multiple Super Bowls as a player, an assistant coach, and a head coach.

Despite his success, he never forgot where he came from. That is Tom.

We hope and pray the third time is a charm and that he will be inducted into the NFL's Hall of Fame in Canton, Ohio.

Since leaving professional football, Coach Flores has used his influence to bring educational opportunities to the valley home where he came from through the Tom Flores Youth Foundation.

He has raised nearly $2 million to support local school districts, science, art, and athletic programs. He never forgot where he came from.

Before the pandemic, he was also scheduled to be an honored guest for Fresno's annual FresYES Fest.

Sadly, despite such a decorated career, he was passed over for induction in the Professional Football Hall of Fame back in February. It was not the first time.

In January, I introduced legislation calling for the recognition of his significant achievements in the sport and for his induction into the Professional Football Hall of Fame.

Recently, the Professional Football Hall of Fame Selection Committee announced Coach Flores as the single finalist in the 2021 class in a new coach category. This development is welcome news and opens the door for Coach Flores to receive the overdue recognition he deserves.

So, we recognize the important contributions Hispanic Americans have made to our culture, to our communities, in every way of life in the United States.

I urge my colleagues to support the Tom Flores resolution to honor the invaluable contribution he has made to his community, to our country, and to America's game. It is time.

HONORING JUSTICE RUTH BADER GINSBURG

Mr. COSTA. Mr. Speaker, I rise today to honor the passing of Supreme Court Justice Ruth Bader Ginsburg, RBG.

For all Americans, I believe Friday night was a sad evening as we learned the news. Justice Ginsburg truly made a difference, both during her tenure on the Court and through her long career.

Justice Ginsburg inspired people. Justice Ginsburg inspired women. Justice Ginsburg inspired young women.

Justice Ginsburg broke the glass ceiling in so many different ways through

her fierce advocacy for women's rights and civil justice.

Justice Ginsburg's keen ability to build bridges between conservatives and liberal Justices garnered the respect of all jurists, regardless of their political philosophy, something we should take note of here in the people's House of Representatives, that we bridge the gap between our political differences and remember that we are Americans first.

Ruth Bader Ginsburg always reminded us that we are Americans first and that equal justice under the law is always the credo of the American way.

Justice Ginsburg served in so many ways for so many examples on how to balance the scales of justice. Our Nation will mourn Justice Ginsburg's loss and honor her legacy for generations to come, I truly believe, because she is a role model for all.

HONORING CARL NUNZIATO

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

Mr. RYAN. Mr. Speaker, I rise today to speak about H.R. 5023, which names the Department of Veterans Affairs community-based outpatient clinic in Youngstown, Ohio, as the Carl Nunziato VA Clinic.

This bill was recommended to my office and strongly supported by leaders within my congressional district's veterans community because they rightly wish to honor one of their own for his exemplary service. I thank them and Chairman MARK TAKANO, Ranking Member Dr. PHIL ROE, and their respective staffs for helping our office bring this bill to the floor, as well as my own staff, Zach Prager and Ivan De La Cruz Santiago.

Today is a red-letter day, Mr. Speaker, in my book because in the midst of all that is going on nationally, all the controversies, Congress can still put its differences aside to take time and recognize a true American hero: Carl Nunziato.

Carl was born in Youngstown, Ohio, in 1938, graduating from Rayen High School. After marrying his high school sweetheart, Clara, he would go on to attend college at Youngstown State University.

Through the university's Reserve Officer Training Corps program, Carl earned a commission as a second lieutenant in the United States Army. It was with his heart filled with love and devotion to his family, his hometown, and his country that he set off for the battlefields of Vietnam.

All those who served with Carl testify to his unmatched fighting spirit. If you ever found yourself in a foxhole with chaos all around you, Carl was the guy you wanted there with you because no matter what happened, you could be sure of one thing: Carl would never quit. Never.

Life would test Carl in ways that most Americans can't even imagine. On November 22, 1966, Carl lost both of his legs when an enemy mortar round impacted less than 3 feet away from him as he was running toward his unit's command center.

On that battlefield, and over the next 2 years at home, Carl would fight for his life not far from where we stand today, at Walter Reed National Military Medical Center. Carl may have walked out of that hospital on two prosthetic legs, but his resolve was more steadfast than before he walked in.

Carl returned to his hometown, Youngstown, Ohio, enrolled in law school at Case Western Reserve, and with graduation began yet another battle: the fight for veterans and all Americans with disabilities.

As an attorney utilizing a wheelchair in the 1970s, most of the courthouses he encountered lacked the accessibility that he and other Americans like him needed to be able to simply get his job done.

Carl saw the problem and seized the initiative, as he had always done with obstacles he encountered in life. Carl created a committee to fight for veterans with disabilities and became a relentless advocate on behalf of all of those with the same conditions.

But Carl went even further. He established a task force to improve veterans services in Youngstown at a time when the VA sent the city a single nurse once a week when the Mahoning Valley had 40,000 veterans.

Carl wanted a VA clinic. VA said no. Carl didn't take no for an answer. Carl's efforts came to fruition in 1991 when the VA finally established an outpatient clinic in Youngstown.

Today, Carl continues to be a stellar citizen, not just for Youngstown, not just for the people of Ohio, not just for vets, not just for people with disabilities, but for all Americans.

Carl works tirelessly with the VA to continue improving the care received by veterans. Carl relentlessly pursues improving care and services for all Americans with disabilities.

The naming of this clinic, Mr. Speaker, is a small measure in comparison to what he has accomplished on behalf of our country's heroes and all of those with disabilities.

Carl never quits—never has quit, never will quit. And I am humbled to have the privilege of representing an individual of this caliber in this Chamber.

I will say, finally, when other vets and citizens from our community look at Carl's portrait hanging in this clinic and they see his name, they will know that things can get better. With effort, with grit, you can make a difference as long as you never quit, as long as you never take no for an answer.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11 a.m. today.

Accordingly (at 9 o'clock and 41 minutes a.m.), the House stood in recess.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. QUIGLEY) at 11 a.m.

PRAYER

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

Lord, merciful God, we give You thanks for giving us another day.

The advance of coronavirus infections continues to rise in a number of States around our Nation. Send Your spirit of healing and well-being among those who suffer, and Your angels to protect the many healthcare workers who place their own well-being in danger every day.

Comfort those today in the Supreme Court who begin the public mourning for a beloved colleague, Ruth Bader Ginsburg. Console those many who worked with and near her over so many years.

Bless the Members of the people's House who labor today to pass bills designed to advance the common weal of our Nation.

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

Amen.

THE JOURNAL

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Dakota (Mr. JOHNSON) come forward and lead the House in the Pledge of Allegiance.

Mr. JOHNSON of South Dakota led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

PROTECTING AMERICAN CITIZENS WITH PRE-EXISTING CONDITIONS

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, the Trump administration supports killing the only law that protects Americans from pre-existing

medical conditions. Fifty-four million Americans could lose health insurance coverage without this important patient protection, including nearly 7 million people stuck with COVID–19, the newest pre-existing condition.

COVID–19 has killed 200,000 Americans in less than 8 months, and 288,000 new COVID–19 cases were diagnosed in the last 7 days alone. The United States has 5 percent of the world's population and 25 percent of COVID–19 cases because the White House's response to COVID–19 was slow, sloppy, and chaotic. Now that same White House wants to kill the only law that protects Americans from COVID–19, the newest pre-existing condition.

We need a White House that protects American families and sides with the American people, keeping them and their families healthy and safe.

RECOGNIZING THE RIVET

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, earlier this month, I had the pleasure of touring the newest branch of the Centre County Discovery Space called The Rivet.

The Rivet is a 5,000-square-foot community workshop that aims to connect people and ideas to create and innovate. Members of the Centre County community can take advantage of open shop hours and classes that teach technical skills, critical thinking, and interactive learning.

At The Rivet, individuals can learn how to use 3D printers, woodworking machines, a pottery studio, CAD software, and the list goes on. America needs a qualified and skilled workforce.

In Pennsylvania jobs in the trades have been growing at roughly 3 percent each year, but job seekers with the qualifications for these positions aren't matching that growth. That is what we call ''the skills gap.''

I was encouraged by the work that The Rivet is doing by providing an outlet for those who are seeking a career powered by career and technical education.

I want to thank Rivet manager Camille Sogin for her work to provide CTE opportunities in Centre County.

REMEMBERING GIANA HUTTON

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise today to remember Giana Hutton, one of my constituents and a passionate advocate for education and equity. She was a member of Alpha Kappa Alpha Sorority, Incorporated.

Giana grew up in Flossmoor, Illinois, and attended Parker Junior High School and Homewood-Flossmoor High School. She obtained her BA in history from Williams College in 2010 at just 18 years of age. Later, she completed a master's of science in public policy and management from Carnegie Mellon University, one of our Nation's most prestigious programs.

Between her studies, she interned for Illinois Senator Roland Burris, supporting staff working on education and judiciary policy.

Most recently, she was working as a program analyst for the Office of the State Superintendent of Education in Washington, D.C. In this role, she directly supported the educational success of District students by helping programs work better and be more effective.

She had recently been accepted in the District's Certified Public Manager Program Cohort at GW University.

Giana is survived by her fiance, parents, and sister. Giana will be greatly missed by all, especially the young people whose lives she positively impacted through her work.

As we remember her life and legacy, we must recommit to her passion: educational equity and the opportunity for every young American to receive a quality education.

RECOGNIZING THE 40TH ANNIVERSARY OF THE CHRONICLE

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

Ms. STEFANIK. Mr. Speaker, I rise today to honor the 40th anniversary of the founding of The Chronicle, a weekly newspaper in my district.

The Chronicle was established by Mark Frost in 1980 in Glens Falls, New York. Through hard work and determination, Mark turned an initial investment of $1,700 into a successful newspaper and small business. He remains the publisher and editor today, alongside their team who have been with The Chronicle for decades.

In that time, The Chronicle has established a loyal base of readers and advertisers, becoming truly a cornerstone of the community.

The Chronicle has also hosted events to provide a forum for discussion and to bring Glens Falls residents together, especially through The Chronicle Book Fair. The fair is an opportunity to highlight and connect local authors and publishers and discover books of all genres.

Annual events like this are important to strengthen and grow the fabric of our communities, and I know many who are looking forward to safely resuming them as soon as possible.

On behalf of New York's 21st District and the United States Congress, I would like to thank Mark Frost, his family, and the entire Chronicle team for their contributions to the community and congratulate them on reaching this important 40-year milestone.

PHILIPPINE HUMAN RIGHTS ACT

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

Ms. WILD. Mr. Speaker, today, across the Philippines, Rodrigo Duterte's brutal regime is using the pretext of a so-called anti-terrorism law to ramp up efforts targeting labor organizers, workers, and political opponents. This law allows suspects to be detained by the police or military without charges for as long as 24 days and placed under surveillance for up to 90 days.

In response to these abuses, I introduced the Philippine Human Rights Act, which would block U.S. funding for police or military assistance to the Philippines—outlining a series of basic criteria which would have to be met in order to resume such funding.

I am proud to stand alongside so many faith and civil society organizations in advocating for this legislation. And I am especially proud to stand with leaders of the U.S. labor movement: the AFL–CIO, the SEIU, the Teamsters, the Communication Workers of America. They understand that in fighting for their brothers and sisters in the labor movement abroad, they are also helping safeguard their own rights and dignity here at home.

Let us make clear that the United States will not participate in the repression. Let us stand with the people of the Philippines.

HISTORIC ABRAHAM ACCORDS

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

Mr. WILSON of South Carolina. Mr. Speaker, the Post and Courier of Charleston on September 19 editorialized ''Good news at last from the Middle East.''

''A series of friendship treaties between Bahrain and the United Arab Emirates with Israel, midwifed by his (Trump's) unorthodox Middle East diplomatic team, provides constructive news from a region that sorely needs it.''

''With strong support from his first United Nations ambassador, Nikki Haley, Mr. Trump rejected his predecessor's ambiguous stance toward Israel and strongly supported the Jewish nation. With worries increasing about Iranian aggression and power, some Arab nations began looking at Israel as a potential ally rather than an enemy.''

''But Mr. Trump has been constructive in limiting Iranian interference in Iraq and promoting friendship between Israel and major Sunni Arab nations . . . he deserves credit for seizing the moment to take an important step toward creating a more peaceful region.''

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

CONGRATULATIONS TO MIKE TOBIN

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

Mr. JOHNSON of South Dakota. Mr. Speaker, my friend, Mike Tobin, is retiring. Mike and I met through LifeQuest, which serves people with developmental disabilities. Mike has been on the board and he receives support from LifeQuest.

Now, he is a Minnesota Twins and a Kansas Jayhawks fan, just like I am, but he serves as a role model to me.

Mike has always been a hard worker, whether at Pizza Ranch or Elixir or anywhere else. He is a good person, always with a smile on his face, treating people warmly and with respect.

He is honest. A few years ago, Mike found $300 in cash in an envelope on the street, and of course, he would turn it over to the police.

So congratulations, Mike, on your 65th birthday and on your retirement.

Thank you for showing me and everyone else how to properly live life.

RECOGNIZING CLEAN ENERGY WEEK

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

Mr. CURTIS. Mr. Speaker, I rise today in support of Clean Energy Week, an opportunity to celebrate bipartisan support for the wide variety of clean energy sources strengthening America's national security while also preserving our environment for future generations.

The environment is, and should be, a bipartisan issue. That is why I am proud to lead, with my friend Congressman LOWENTHAL of California, a bipartisan resolution in support of Clean Energy Week.

In fact, my legislation was introduced by 71 original cosponsors, divided almost evenly between Republicans and Democrats. This goes to show that we can and must work across the aisle to be better caretakers of our planet, and I plan to continue the pursuit of these positive bipartisan policies while in Congress.

WILDFIRES BURNING IN CALIFORNIA

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

Mr. LAMALFA. Mr. Speaker, fire season continues to rage on in California and in the West, and it continues to underline the need for us to have active management of our forests, our wildlands, our grasslands, everything to do with fire season and the increased fuel loads that we are seeing.

We hear a lot of talk about climate change. Well, I keep coming back to, If the climate is changing, what are we doing about it?

We can argue over whether it is man-made climate change or nature caused, we are still allowing our forests, our grasslands, our wildlands to be overloaded with fuel, and that puts our towns, people's livelihoods in great danger and great peril.

I could list time after time the tragedies that we have seen in northern California with people losing their homes, portions of small towns, their livelihoods because we are not doing the job on our Federal lands, and we are not telling the environment groups to back off with their lawsuits that prevent the work from being done that so desperately needs to be done.

We have to get cracking on this and get our job done here as Federal representatives to help save our rural areas.

□ 1115

PROVIDING FOR CONSIDERATION OF H.R. 4447, EXPANDING ACCESS TO SUSTAINABLE ENERGY ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 6270, UYGHUR FORCED LABOR DISCLOSURE ACT OF 2020; AND PROVIDING FOR CONSIDERATION OF H.R. 8319, CONTINUING APPROPRIATIONS ACT, 2021 AND OTHER EXTENSIONS ACT

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1129 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1129

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4447) to establish an energy storage and microgrid grant and technical assistance program. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–63, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) 90 minutes of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Science, Space, and Technology; (2) the further amendments described in section 2 of this resolution; (3) the amendments en bloc described in section 3 of this resolution; and (4) one motion to recommit with or without instructions.

SEC. 2. After debate pursuant to the first section of this resolution, each further amendment printed in part B of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 3 of this resolution shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

SEC. 3. It shall be in order at any time after debate pursuant to the first section of this resolution for the chair of the Committee on Energy and Commerce or his designee to offer amendments en bloc consisting of further amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

SEC. 4. All points of order against the further amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 5. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6270) to amend the Securities Exchange Act of 1934 to require issuers to make certain disclosures relating to the Xinjiang Uyghur Autonomous Region, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-64 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

SEC. 6. Upon adoption of this resolution it shall be in order to consider in the House without intervention of any question of consideration the bill (H.R. 8319) making continuing appropriations for fiscal year 2021, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. Clause 2(e) of rule XXI shall not apply during consideration of the bill. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Arizona (Mrs. LESKO), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 1129, providing for consideration of three measures.

First, the rule provides for consideration of H.R. 4447, the Clean Economy Jobs and Innovation Act, under a structured rule. The rule provides 90 minutes of debate equally divided among and controlled by the chairs and ranking minority members of the Committee on Energy and Commerce and the Committee on Science, Space, and Technology. The rule self-executes a manager's amendment, makes in order 98 amendments, and provides en bloc authority and one motion to recommit.

The rule also provides for consideration of H.R. 6270, the Uyghur Forced Labor Disclosure Act of 2020, under a closed rule. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services, and it provides one motion to recommit.

Finally, the rule provides for the consideration of H.R. 8319, the Continuing Appropriations Act, 2021 and Other Extensions Act, under a closed rule. The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations and provides one motion to recommit.

Mr. Speaker, the bills contained in this rule are about meeting our responsibility here at home and living up to our values abroad.

First is H.R. 8319, a continuing resolution to keep our government funded through December 11. Fortunately, we won't need to call this bill up because a compromise passed this House last night by a vote of 359–57. That is quite an accomplishment because sometimes we can't even agree on what to have for lunch here, yet we were able to come together to keep this government open. That is good news for the American people.

Second is H.R. 4447, a sweeping energy package that will help our Nation lead the world once more in clean energy. Investing in renewable energy like wind and solar won't just help us combat the threat of climate change; they will help us create jobs here at home that can never be outsourced.

It is especially important that we are considering this package right now. There are wildfires raging in places like California, Oregon, and Washington that are leaving a heartbreaking path of destruction. Scientists are unequivocal: These fires are just the latest indication that climate change is real and is happening right now. This is not some long-off threat that we can leave for our kids or grandkids. This is happening today.

By addressing it, we won't just protect our environment. We will create jobs at a time when our country badly needs them. Because of the coronavirus, our country is facing the worst economy since the Great Depression. The Labor Department said last week that 12.6 million Americans are collecting unemployment benefits. One year ago, that number stood at just 1.7 million.

Renewable energy can and should be part of the equation in rebuilding this economy because, make no mistake, Mr. Speaker, jobs in things like solar energy will be created. The only question is whether they are created here or in other countries like China. I want them made in America.

Lastly, the Rules Committee considered two bills on Monday to help defend the human rights of Uyghurs and other ethnic minorities who have suffered horrific human rights abuses at the hands of the Chinese Government: H.R. 6210, the Uyghur Forced Labor Prevention Act, and H.R. 6270, the Uyghur Forced Labor Disclosure Act.

I am proud to have authored H.R. 6210, which passed the House with an overwhelming 406–3 vote yesterday. I also strongly support H.R. 6270, the Uyghur Forced Labor Disclosure Act, authored by my colleague, Representative JENNIFER WEXTON.

It is disappointing that some Republican Members may oppose the Uyghur Forced Labor Disclosure Act that requires disclosures about products made with forced labor from a region where crimes against humanity and perhaps genocide are being committed by the Chinese Government.

As many as 1.8 million Uyghurs and other predominantly Muslim minorities have been arbitrarily detained in mass internment camps and subjected to forced labor, torture, political indoctrination, and other severe human rights abuses.

We know forced labor is widespread and systematic, and audits are simply not possible because workers cannot speak freely and honestly about working conditions given the heavy surveillance and intimidation by the Chinese Government.

This legislation is essential to protect American investors and consumers through stronger disclosure requirements alerting them to the presence of Chinese and international companies whose operations enable the mass internment and population surveillance of Uyghurs and other Muslim minorities.

Such involvements represent clear and material risks to shared values and the corporate reputations of these companies and U.S. investors and consumers.

It seems the only argument against this bill is that it is similar to the Democratic Republic of the Congo conflict minerals provision from years ago, but the comparison simply just doesn't hold water.

Free enterprise, as we know it, doesn't exist in the Xinjiang Uyghur Autonomous Region. It should not be compared to Africa in terms of the business climate or access.

The Xinjiang economy is tightly controlled and directed by the Chinese Government and Communist Party. It is built on a foundation of forced labor and repression. International observers, the press, and government officials are restricted from even traveling there.

Just this week, a number of respected supply chain auditing firms say they will no longer conduct inspections in Xinjiang because of the hostile environment ruled by fear.

The argument against this legislation is that the DRC conflict minerals provision was bad because businesses left that region because they didn't want to or could not disclose their supply chains. Well, it is long past time for U.S. and international companies to reassess their supply chains and find alternatives to production in Xinjiang where forced labor is widespread and embedded in the regional economy.

We don't think Chinese, U.S., and international companies should be exploiting the Uyghur and other Muslim people in allowing global supply chains to be contaminated with forced labor.

So I hope on both sides of the aisle, but I say this to my Republican colleagues, to those who might be considering a ''no'' vote, think long and hard before voting against the bill that would help reveal the extent of how the Chinese Government's system of forced labor has contaminated global supply chains.

I am proud to stand in solidarity with the Uyghur people and, indeed, all the people living under the rule of the Chinese Government in their struggle to live freely, practice their religious beliefs freely, and speak their own language freely.

I urge all of my colleagues to join with us and give this rule and underlying bills a broad bipartisan vote so we can fulfill our obligations here at home and around the world.

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

Mrs. LESKO. Mr. Speaker, I thank Chairman MCGOVERN for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, this rule consists of two bills, including H.R. 4447, the Democrat's energy package. It consists of 38 bills with a total cost of $135 billion. The bill includes burdensome mandates and an incredibly high price tag.

Mr. Speaker, let's be clear, Republicans support reducing carbon dioxide emissions in the United States by scaling up clean energy innovation with less regulation. Unfortunately, this bill adds new regulatory hurdles that make the clean energy technology deployment much more difficult to build. Regulations hurt innovations, especially at such a high price tag.

The bill fails to put forward policies that will reform the permitting and licensing process required to finance, build, expand, and modernize energy infrastructure. Instead, the bill spends billions of dollars on unfocused research without spending money on investments and infrastructure.

Republicans have introduced numerous bills this Congress that will build, expand, and modernize our energy infrastructure.

□ 1130

They remove regulatory barriers to building nuclear, natural gas, and hydropower infrastructure. These are all clean and reliable sources of generation that will power America, protect the environment, and keep our country secure.

The mandates contained in the bill will drive up energy and transportation costs for American consumers. For example, one of the mandates in the bill will mandate energy efficiency building codes, which the home building industry says will drive up the cost of housing to consumers without proportional savings in energy costs.

H.R. 4447 will lead our country down the wrong path. We don't want to California the Nation with blackouts and high utility costs. Even minority groups are suing California utilities over their high energy costs. And believe it or not, California utilities actually pay Arizona for their renewable energy to take it off of their hands during certain times of the year. That is totally insane.

I regularly meet with constituents and companies in Arizona who say they moved from California to Arizona because California's incredibly burdensome regulations stifle growth. California's current energy crisis was predictable and avoidable, but they ignored the scientists and engineers who maintain the electric grid and, instead, mandated their own version of the Green New Deal. In doing so, California forced the retirement of stable baseload power generation without a reliable option in place.

The Democrats may claim that H.R. 4447 is a bipartisan bill. While it includes some bipartisan provisions, it is not a bipartisan bill. It was crafted solely by Democrats with no input from Republicans. Many of the provisions amount to billions of dollars of new and overlapping programs that had little to no process or regular order.

I sit on the Rules Committee, where my colleagues reminisce regularly about how we used to operate through a committee system with regular order: a legislative hearing, a subcommittee markup, a full complete markup. Apparently, those days are gone. Now the Democrats legislate by posting a one-sided bill one week and putting it on the floor the following week.

Public laws do not come out of this process well, only partisan politics and messaging bills. We all know that.

Mr. Speaker, this rule also contains H.R. 6270, the Uyghur Forced Labor Disclosure Act.

The United States is an honorable and noble country that must not tolerate the gross human rights abuses perpetrated by Chinese leaders. While the bill takes strong action to ensure American businesses are not complicit in China's forced labor programs, there are outstanding concerns in the bill that may harm U.S. businesses.

For instance, the bill requires public companies to file disclosures with the SEC if they imported manufactured goods or other materials that originated in or are sourced in the Xinjiang Uyghur Autonomous Region and disclose whether those goods originated in forced labor camps. These entities would also have to disclose the nature and extent of the commercial activity related to each good or material, the gross revenue and net profits attributable, and whether they intend to continue importing the good.

China's atrocities against Uyghurs and other Muslim minority groups must come to an end, and we voted on that bill yesterday in a bipartisan fashion. We must ensure that items made with forced labor are not allowed to enter our markets.

To do our jobs properly in Congress, we must allow bills to run their course through committees for proper debate, discovery, and amending.

Mr. Speaker, I urge opposition to the rule, and I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to diverge from what we are considering today and recognize some of the people here who help us all navigate how legislation is considered.

There are staff here that work day in and day out to make this Chamber function smoothly so that we can get things done on behalf of the American people. They aren't Democratic or Republican staff. They serve both sides without fear or favor. That team includes the staff in the Office of the Parliamentarian.

Tom Wickham has served in that office for the last 25 years. As House Parliamentarian, he became a master of House procedure. And make no mistake, having an encyclopedic knowledge of how this place operates is no small thing, Mr. Speaker.

Tom is now retiring after serving with distinction for many years. I want to recognize him, and I want to thank him for that service here today.

Now, I could say a lot about Tom. On a physical level, Tom is usually the tallest person in the room, and a lot of people fit in this room. On a human level, Tom always makes time for everyone, from the most senior Members to the most junior staff. Unless he is in a meeting, the door to his office right across the hall is literally left open all the time.

He has perfected the art of dry parliamentary humor. It is incredibly impressive when someone can make germaneness, promptly motions, and Deschler's Precedents funny.

Tom is always willing to listen to argument and never too proud to change his mind or say he was wrong about something in the face of new information.

To me and my staff, Tom Wickham appears to know everything about the rules and history of this House. But he is quick to say that he knows nothing about the Senate whenever we ask a Senate question; although, we suspect he knows everything about the Senate as well and just doesn't want to offend his friend, Elizabeth, the Senate Parliamentarian.

Tom has guided us through some turbulent times. He has advised the presiding officer during times of heated debate, even yelling at times. He has been on that rostrum through impeachment proceedings and opening day sessions, during late nights often followed by all-too-early mornings.

He has seen it all, and we are lucky to have had him at our side through it all. He will be missed, but we congratulate him on a well-deserved retirement.

Mr. Speaker, I also want to congratulate Jason Smith for being named the new House Parliamentarian. Many of us already know Jason pretty well, having worked with him in his prior role as Deputy Parliamentarian. His know-how made an impression, since he was named to this new role after a bipartisan recommendation, and I think that also is a tribute to his skills.

Mr. Speaker, I want to thank Ranking Member COLE for working with me on this. I valued his advice and counsel, as I do so often as we serve together on the Rules Committee. His wisdom made this process largely an apolitical one.

I could not ask for a better partner at the Rules Committee than the gentleman from Oklahoma, TOM COLE. He and I try to put this institution first, and I know that Jason will, too.

It is clear Jason has the confidence of both sides of the aisle, and that is no small thing. I look forward to working with him in his new role.

The truth is we are lucky to have such dedicated staff in the Parliamentarian's Office, and that includes Anne Gooch, who works with us day in and day out, whether it is at 7 a.m. or 11 p.m. My staff and I have her on speed dial. Her work also makes our work possible, and we are grateful.

So we have a lot of debates on this floor, Mr. Speaker, all to make progress on behalf of the American people, but it is important during moments like this that we also recognize people whose work behind the scenes makes this progress possible.

So, Mr. Speaker, I just want to pay this tribute to these incredible people, and I want to say thank you, thank you, thank you.

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

Mrs. LESKO. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), my good friend, the ranking member of the Rules Committee.

Mr. COLE. Mr. Speaker, I thank the gentlewoman, my good friend, for yielding.

I want to begin by responding to some of my friend's kind remarks, the chairman.

We belong to different parties. We sometimes have our different points of view in the committee itself, which means on occasion we are going to be taking contrasting positions with one another, but I think one of the common traits that we have is that we both revere the institution of the House of Representatives and all of its procedures.

I think we also really respect the staff, the personal staff, the committee staff, and, most especially, the professional staff of the House itself. What an extraordinary role they play in allowing us to do our job.

Mr. Speaker, I rise to join Chairman MCGOVERN in paying tribute to a dedicated public servant.

Tom Wickham, the House Parliamentarian, has served this House with honor and distinction for the past 25 years and will be taking a well-deserved retirement at the end of this month.

Tom has expertly advised five Speakers and countless Members and staff throughout his distinguished tenure. His exceptional knowledge and understanding of the rules, procedures, and parliamentary precedent has been invaluable to this institution, and he will be sorely missed.

Mr. Speaker, I am also proud to congratulate Jason Smith, the current Deputy Parliamentarian, on his appointment as the sixth Parliamentarian of the House.

The Rules Committee has the benefit of working with the Parliamentarian's Office, frankly, more than any other committee, and I have every confidence that Jason will lead the office with the same standard of excellence his predecessors, particularly Mr. Wickham, have set.

Finally, Mr. Speaker, I just want to take a moment to thank Chairman MCGOVERN for seeking my opinion during the process to select our next Parliamentarian. That is not something he was required to do, but it speaks volumes about his respect for this institution and the role that the Parliamentarian plays for the minority, particularly on the Rules Committee, that he was interested in our perspective on this important decision.

Let me close with this. My friend, the chairman, said that Mr. Wickham had seen everything.

Well, we are hopeful that you don't write about everything that you have seen, and that you remember us as fondly as we remember you. But the sad thing is not very many people get to see your work and what you and your colleagues in the Parliamentarian's Office have done for each and every Member of this institution. Even our own Members quite often don't understand how indispensable your decisions and recommendations are to each side, to facilitate a full and open debate, to make sure that every person has an opportunity to express their opinion in the appropriate way under the procedures and rules of the House.

So I just want to personally thank you for the extraordinary job you have done for all of those who have the privilege of being Members and, frankly, for our staffs as well, who work so closely with you and whom you advise so frequently and so professionally. We will really, really, really miss you, but we thank you for making sure that we had an adequate successor in place in Mr. Smith and a superb supporting staff that reflects your leadership.

So we thank you for your hard work in a very bipartisan way, your professionalism, your decency, and, frankly, the honorable way in which you have discharged your duties for 25 years.

Mr. MCGOVERN. Mr. Speaker, I think the gentleman from Oklahoma (Mr. COLE) would agree with me that we both learned more from the Parliamentarian's Office than we ever knew was possible as we engaged in trying to get a replacement for Mr. Wickham. Our admiration for the staff there has only increased.

I just want to say one final thing here.

Normally, under normal circumstances, this Chamber would be filled with Members, which I think we would all have preferred in order to give you a proper sendoff. Obviously, outside events have made that impossible, but we want you to know that everybody in this Chamber appreciates your incredible work. So I ask everybody who is here to give you a round of applause and say thank you.

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

□ 1145

Mrs. LESKO. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I will offer an amendment to the rule to immediately consider Small Business Committee Ranking Member STEVE CHABOT's H.R. 8265 to reopen the Paycheck Protection Program to America's 30 million small businesses.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Mrs. LESKO. Mr. Speaker, this amendment would ensure our Nation's smallest and most vulnerable firms get the support they need by allowing an opportunity for a second PPP loan with specific funds set aside for small businesses with 10 or fewer employees, expand the list of eligible covered expenses, simplify the loan forgiveness process, and extend PPP through the end of 2020.

I think all of us can agree that this is very vital for our small businesses and their workers in America.

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

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

Mrs. LESKO. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. KATKO), my good friend.

Mr. KATKO. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, there are seven legislative days remaining on the House calendar before this Chamber is scheduled to recess for more than a month. As every Member of this body knows, Americans are counting on us to use this time to respond to the sustained impact of the pandemic on our communities.

Unfortunately, our constituents are left waiting as partisanship continues to block compromise and political interests continue to stand in the way of efforts to deliver relief to our constituents.

For this reason, I support efforts to defeat the previous question and bring up commonsense legislation to support America's small businesses during this unprecedented crisis.

The Paycheck Protection Program has been a critical, bipartisan success and an important example of what we can achieve when we work together for the good of the American people. In my district alone, PPP loans have delivered critical assistance to thousands of local businesses and helped save nearly 200,000 jobs.

Although these loans played a pivotal role in helping small businesses navigate the immediate impact of the pandemic, many still face a dire economic outlook and uncertain road to recovery.

Absent congressional action, entrepreneurs and business owners across this great country will have no choice but to close their doors.

If the previous question is defeated, my colleagues will bring up legislation to authorize a second round of PPP loans for America's most vulnerable businesses and extend the program through the end of 2020.

Critically, this bill will also set aside funds for our smallest businesses and make necessary simplifications to the loan forgiveness process. These provisions are not only critical to protecting our country's 30 million small businesses and the jobs they create; they represent a commitment to relief measures both parties can agree on.

Considering these changes would represent a critical first step in bringing bipartisan relief measures to the floor and delivering comprehensive relief for every American.

Mr. Speaker, I urge my colleagues to vote to defeat the previous question.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I just want to say for the record that if my Republican friends want to know why there is no agreement on another coronavirus relief package including PPP, they should call their friend MITCH MCCONNELL because this House did its job.

We passed the HEROES Act more than 125 days ago to help cash-strapped State and local governments, to help businesses on the brink, and to help Americans struggling in the middle of this pandemic.

A lot of people are suffering. Hunger has increased in this country. Senate Republicans can't even come to an agreement amongst themselves. They couldn't even get their entire caucus on board, let alone Democrats.

The HEROES Act is bipartisan, but even that hasn't been enough to get MITCH MCCONNELL to take it up. Apparently, he couldn't find the time, Mr. Speaker, but he is moving with lightning speed to confirm a new Supreme Court Justice.

Are you kidding me? In the middle of a pandemic he can't find the time to provide a vote on a package to help the American people and small businesses? Our restaurants are in deep trouble. Those of us who come from States—like I do in Massachusetts—outdoor dining is going to cease pretty soon because it is getting cold, and they don't know how they are going to get through the winter. And we can't even get the Senate to debate this stuff?

More than 200,000 Americans are dead. The President says, Oh, everything is going great. 200,000 people are dead. Compare that to Canada or other countries that actually had a plan to manage this pandemic. Countless millions have been infected.

The Senate needs to act. And shame on them for not acting.

It should be more than just an assembly line that rubber-stamps conservative judges. There is legislating to do, and none more important than dealing with the impacts of this pandemic.

I don't know whether the Senate majority leader has a heart of stone or what, but it is inexcusable. It is unconscionable. It is unbelievable that he hasn't acted, and so I urge my Republican colleagues to pick up the phone and call him and tell him to do something.

I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the Senate or its Members.

Mrs. LESKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, wow, that was an impassioned speech by the chairman, but I have to remind the chairman that there were a lot of Democrat liberal wish lists in the relief package that were passed, including releasing prisoners that were 50 years old and older—didn't matter what they were charged with—from prison and giving $1,200 relief payments to illegal immigrants using taxpayer dollars.

So maybe if Speaker PELOSI and the Democrats would have actually talked to Republicans before they pushed through a bill, there would have been more bipartisan support to help small businesses and the American people.

With this previous question and the amendment, we are trying to do just that.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BACON), my friend.

Mr. BACON. Mr. Speaker, I rise today and ask that we defeat the previous question and move to pass Congressman CHABOT's bill.

We are now in our sixth month of this pandemic. In our efforts to combat this virus, the backbone of our economy, our small businesses, have suffered greatly. Only now, after months of government-imposed restrictions, is our economy starting to reopen and we are seeing the unemployment drop, in part, but not throughout our economy.

Even in my home State of Nebraska, with the lowest unemployment rate in the Nation, some of our small businesses are still struggling. While restaurants and bars are getting back to work, others are still shut down. Our live music venues, our playhouses, our travel and tour companies are still facing some very dark times and may not open for 3 months. Some may never reopen without Congressman CHABOT's bill.

Congress needs to put our partisan differences aside. Stop playing election-year political games and come together to help the American people. While we may be divided on if we should bail out cities that were struggling financially prior to COVID, we can all agree that certain segments of our economy are struggling in every city.

This bill will help our Nation's smallest, most vulnerable businesses in every city. It will expand eligibility and expand the PPP throughout the end of the calendar year to help these businesses in every city.

We can agree that this is needed from the East Coast to the West Coast and everywhere in-between. Congress should act now.

I urge my colleagues to defeat the previous question and move to pass the low-hanging fruit of the Chabot bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the good news and what is comforting to me is that the American people get this. They understand where the problem is.

And I would just say to my friends who don't like everything in the HEROES Act, the way this process is supposed to work is we pass a bill in the House, the Senate passes a bill, and then we have a conference committee and we work out the details.

Well, the only negotiating that has been going on is Democrats have been negotiating with themselves. We have actually lowered the request in the original HEROES Act—which I personally think is not the right thing to do, but I get it—to get something done.

There is nothing in here that helps communities who are trying to deal with the school situation. In some places schools are opening, in some places they are not but there are all of these new expenses on how to make the classroom safer.

When my friends say, Oh, we don't want to give any more money to cities and towns to deal with that, I don't know whether you talk to your superintendents, or your teachers, or your principals, or parents, but this is real and they are looking for some help.

I mean, we are in the middle of a pandemic. We haven't seen anything like this since 1918. It has impacted our entire economy and you would never know it. You would never know it based on the inaction and the indifference over in the Senate.

I mean, it just takes my breath away when we have leaders there, Republican leaders, who won't even come to the negotiating table. And I just find that appalling.

I will just say one other thing. I urge everybody to vote for the previous question because let me just tell you something that some people don't appreciate; if you defeat the previous question, they get to bring up whatever they want to bring up.

They can bring up this, they can bring up whatever. They basically take control of the House. And they may say they are going to bring up this, but who knows what they will bring up. And so this is a bad procedural maneuver, but it is designed to give them power.

And, again, what I am learning here is that we don't share the same values on a lot of these things. I find that particularly disconcerting during a pandemic.

In the past, after 9/11, I was here. George W. Bush was President. I didn't agree with him on a lot of stuff, but he helped bring this country together and get us all reading off the same sheet of music in terms of our response. It is very different now.

So I would urge my colleagues again to vote ''yes'' on the previous question, and I reserve the balance of my time.

Mrs. LESKO. Mr. Speaker, I can guarantee Chairman MCGOVERN, if we defeat the previous question, my amendment is what will be brought up to help small businesses and their workers.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED).

Mr. REED. Mr. Speaker, I thank my friend for yielding me the time.

Mr. Speaker, I had a speech prepared to give, but I am not going to read that speech because I think the chairman from Massachusetts highlighted the crux of the problem we face in this Chamber today.

We don't trust each other any longer in this institution. As he just alluded

to, don't give over the floor, don't give over control of this body to the other side because we don't know what the Republicans will bring up.

I give my word that what we would bring up is a bill that will provide immediate relief under the Paycheck Protection Program of $138 billion to our small businesses, our families, and individuals who are suffering in America today.

We need to start trusting each other again. We don't trust each other in this institution and that is what is causing the American people to suffer.

I ask my colleagues: When you vote ''yes'' on this previous question, be on notice. You are turning your back on the American people that need the Paycheck Protection Program assistance today. And when you make that vote, you do it with your eyes wide open. You do it on notice that you will be turning your back on those individuals who cry out for help as we speak here on this floor today.

What we are talking about here is that we need to do our job as Congress. Now, I have done everything in my power personally over the last 3 months to work with our Senate colleagues, to work with the White House, to work in a bipartisan fashion to do a bigger package than the Paycheck Protection Program. But I will take what I can get.

There should be bipartisan support for this Paycheck Protection Program relief that we are talking about here today.

I urge my colleagues to defeat the previous question, vote ''no,'' and join us and trust us in standing with the American people.

□ 1200

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have great respect for the gentleman from New York, and I appreciate his efforts at trying to find common ground and trying to make this place work better. But I do take exception to a statement he made, that if you vote against this, then you are turning your backs on small businesses.

Well, I can make that same argument to all of my Republican friends who voted against the HEROES Act. Not only did they turn their backs on small businesses, they turned their backs on schools and on people who right now are going hungry in this country. I can go right down the list of all the things. They are turning their backs on cities and towns that are not just blue cities and towns.

Mr. Speaker, this notion that we have to define everything in terms of red and blue, in terms of whether they get assistance, I find very disconcerting. I never question a vote in favor of disaster relief if a red State was hit by a hurricane or an earthquake or a fire. You try to do the right thing.

So spare us the indignation, because the deal is, we passed something here 4 months ago, and there has been no action. We all know that we weren't going to get everything. The Speaker brought it down by $1 trillion, hoping that that would spur a negotiation, and there is nothing yet. By the way, the Senate can't even get its act together amongst its own Republicans, never mind with Democrats.

So we need to do something. Hopefully, before we leave here, the Senate majority leader will pick up the phone and work with the Speaker and with the White House, and we can get something here.

Quite frankly, all of us, if it is not done, are willing to come back here on a moment's notice. We have all been told by our majority leader to be prepared to come back here in a nanosecond if we can get a deal.

But to leave schools behind, to leave hungry people behind, and to leave countless others who have been impacted by this virus behind, this is a big deal. It is a big deal. We need to help our small businesses, and we have to help others as well.

Let's hope rationality will prevail, common sense will prevail, and we can come together similar to the way we did on the continuing resolution yesterday.

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

Mrs. LESKO. Boy, I have read some media reports where actually there were members of the Democratic Party in the U.S. House of Representatives in swing districts who pleaded with Speaker PELOSI to have a relief package, and she is the one who said: Oh, no.

So I have to respectfully disagree with the gentleman's analogy.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, it has now been over 46 days since the Paycheck Protection Program, also known as PPP, was shut down. This means that small businesses have been prevented from applying for CARES Act funding through the PPP for over a month and a half now. This also means that real people's jobs continue to be in jeopardy through no fault of their own.

This is just unacceptable, Mr. Speaker. This is unacceptable because small businesses play an outsized role in our economy. They employ half of all workers in this country. Think about that. Nearly one out of every two workers in this country are employed by small businesses. Not only do small businesses employ millions of people, but they are also this Nation's job creators. They create approximately two out of every three new jobs in this country.

Beyond statistics, they are the heartbeat of Main Streets all across America. They are the corner store, the neighborhood coffee shop, and the restaurant in the town or village. They are the fabric of commerce in my home State of Ohio, as they are in Florida, in Texas, in California, and all across this country. Their workers clock in early and often retire after the sun sets. Simply put, they are America's businesses.

Unfortunately, COVID–19 continues to challenge their very existence. Now is the time to act. We really should have acted 46 days ago. We have an option before us today, this very day. If we defeat today's previous question, then we can move directly to my legislation to reopen the Paycheck Protection Program to all those small businesses all over the country that are clamoring to get them and that really need them.

H.R. 8265 would provide targeted assistance to small businesses that truly need the Federal Government's help. The legislation gives small businesses the opportunity to receive a second PPP if they can demonstrate a significant revenue reduction of 25 percent. Additionally, it adds more flexibility in how PPP dollars can be spent and still be eligible to have those loans forgiven.

Many of our Nation's small businesses are still struggling significantly. We need to work quickly to provide a path forward for as many of them as possible. Just as small businesses meet and exceed the expectation of their customers, let's meet the needs of small businesses across the country. Let's defeat the previous question and restart the PPP, the Paycheck Protection Program.

Our economy is depending upon America's small businesses, and America's small businesses are depending upon us here today. This vote really does matter. Usually, these things are procedural, but this is an opportunity not just to help those small businesses but, most importantly, those people who work for them and the families they support.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me remind all of my colleagues this is a procedural vote, and this is a very common practice of my Republican colleagues on a regular basis to urge a defeat of the previous question so they can bring up whatever they want to bring up.

The gentleman just said that we need to move quickly. My question is: Where have you been? Where have you been?

Four months ago—4 months ago—we passed a bill that would provide relief to our small businesses and to our cash-strapped communities, many of them forced to lay off first responders.

Where have you been? Have you picked up the phone and called MITCH MCCONNELL? Have you lobbied any of your Republican colleagues on the Senate side? Nothing.

We are about to recess. I think everybody knows that people back home are not happy with the obstructionism and the Senate doing nothing. So let's toss out a procedural vote, and we can use that as cover. Talk about being cynical.

We had an opportunity. We still have an opportunity to come together and do something that will help all Americans. Instead, this is the best we can do, no promises to talk to the Senate, no nothing.

It is just frustrating because people are hurting, and it is not enough at the last minute to come up with a procedural vote that doesn't mean anything and all along having been opposed to the HEROES Act.

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

Mrs. LESKO. Mr. Speaker, I can guarantee that if we were in the majority, we would be able to do a relief package that didn't include liberal wish lists that could actually pass the Senate and get signed into law.

Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. KEVIN HERN).

Mr. KEVIN HERN of Oklahoma. Mr. Speaker, I urge defeat of the previous question so that we can immediately move to debate and pass H.R. 8265 and stop playing politics with American businesses and jobs.

We all can name at least one favorite establishment that is now an economic casualty of coronavirus. Many small businesses are hurting, and they need our help.

We came together in an incredible bipartisan way this spring to create the Paycheck Protection Program, but the fallout of these shutdowns is lasting longer than any of us dared believe, and our communities are now in need of swift action.

That is exactly why we need a vote on H.R. 8265, which Democratic leadership is currently preventing. There are over $135 billion still sitting in the funds that are authorized and appropriated. This bill gives small businesses with 25 percent revenue losses and under 300 employees the opportunity for a second cut at the PPP loan. It sets aside $25 billion specifically for mom-and-pop businesses with less than 10 employees, and it simplifies the forgiveness process for loans under $150,000.

Do it today. Do it today. We have plenty of time. To make it simple: Passing this bill saves jobs, but doing nothing sends those same people to the unemployment lines. The bills we are voting on today will never become law. Messaging bills can wait; extending this program cannot.

I know that many of my colleagues across the aisle are frustrated with the lack of action on this issue. They like this bill and know it would help our communities. I know this because many have told me personally. If half of the Democrats who have privately told me they supported this legislation would vote for it, it would pass overwhelmingly and would be law quickly. So I call on them today to stand up and do what is right. Their communities need them in this moment. America needs us all in this moment.

Mr. Speaker, I ask the Democrat leaders to stop playing politics with American businesses and jobs. I urge defeat of the previous question and immediate consideration of H.R. 8265.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is unclear to me what this President would or would not sign. I am looking at a headline from CBS News: ''Trump said coronavirus 'affects virtually nobody,' as U.S. surpasses 200,000 deaths.''

Talk about clueless here. We passed the HEROES Act to help our schools and our healthcare workers. I would like to think that there is no objection to helping our schools and our healthcare workers. We want to help our first responders. They are the heroes here.

Why is that such a controversial thing to do?

We wanted to pass the HEROES Act to provide more testing and tracing so we can contain this virus. We are doing that while the President of the United States is hosting superspreader events where people without masks are all bunched together.

We passed the HEROES Act to support families who are struggling to pay their rent, and we passed the HEROES Act to help small businesses.

It is time for my Republican friends to pick up the phone, call Senator MCCONNELL, and ask him to sit down and negotiate a deal that helps the entirety of this country. I don't see why that is so controversial, yet they won't do it. They won't do it. This is cynical politics, pure and simple.

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

Mrs. LESKO. Mr. Speaker, again, if the so-called HEROES Act would not have been chock-full of a bunch of liberal wish lists but only concentrated on things that Republicans and Democrats could have actually agreed to and would have passed the Senate and then signed into law, we would have had relief to the American people by now. But I would assume that Chairman MCGOVERN knows that there were certain things in that bill that they knew in advance that the Republicans weren't going to go for, like releasing prisoners into the communities.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Mr. Speaker, I rise today to urge Republicans and Democrats to join us on this vote to extend the vital jobs-saving program, the Paycheck Protection Program, which will provide relief to small businesses that desperately need it during this public health crisis. It is not just the small businesses that will benefit. It is actually for the workers who work in those businesses to keep their jobs.

With talk that the House Democrat leadership is looking to finish our legislative business and send us home early, we should be doing everything that we can in our power to provide that relief to small businesses that desperately need it.

In my district in southwest Washington, almost 9,500 small businesses have accessed critical paycheck protection loans. Surgical Training Institute in Camas was able to keep its 22 employees employed. The little Neptune Theatre in Pacific County also took advantage of this program. Altogether, they have saved 92,000 jobs.

That is 92,000 people—individuals, moms, dads, brothers, and sisters—who are able to continue providing for their families by putting food on the table and keeping a roof over their kids' heads.

This should not be a political football. Across the Nation, the PPP has helped save millions of jobs, and small businesses have been able to keep their doors open and pay their employees.

This is not a partisan issue. Let's stop talking about what was done in the past. Let's look forward and fix the problem. Join with us now and support extending this program.

To me, it is a shame that small business relief and relief for workers is a partisan issue. It should not be treated like a political football here in Congress. This is not a hostage we should hold on to to get anybody's wish list passed. We should pass this.

The fact of the matter is that the PPP expired on August 8, and we have been in session many days between now and then. With nearly $135 billion still in the program, Congress must act now to free up these funds and get relief to those who need it most.

Thousands of businesses across the country are on the brink of collapse and mass layoffs, and they are crying out for help. If we do not act now to extend the PPP, they could all go under. We are talking about our neighborhood mom-and-pop shops that are the backbone of our communities. We don't have any more time to waste.

Mr. Speaker, I urge defeat of the previous question so the House can advance bipartisan relief to small businesses.

□ 1215

Mr. MCGOVERN. Mr. Speaker, I understand why the gentlewoman doesn't want to talk about the past, because 4 months ago, she—as well as most Republicans—voted ''no'' on the HEROES Act. They voted to deny help to small businesses. They voted to deny help to our schools, to our healthcare workers, to our first responders.

Mr. Speaker, I get it. She and others are going to have to explain to their constituents why they did that, why they voted against the interests of their own constituents. So I get it.

But the bottom line is this: If my Republican friends want to help, pick up the phone and call their friend, MITCH MCCONNELL, and ask him to get serious about negotiating a compromise here so we can help small businesses and also help our schools and our first responders and our healthcare workers.

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

Mrs. LESKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, at a time when many Americans are struggling with the economic fallout from the ongoing pandemic, it is unfortunate that the Democratic majority is not coming up with solutions that can actually be signed into law. We need to negotiate with the Republicans in the Senate and the President and the Democrats together. That is what America wants.

Instead, in this rule, we are focusing on a Green New Deal-type of energy package—one that didn't work so well in California, as can be attested to by their rolling blackouts and other energy crises.

Mr. Speaker, I would call on us to defeat the previous question so that we can add the amendment to, at least, help the small businesses and their workers. This is something we can do together.

Mr. Speaker, I urge a ''no'' on the previous question, ''no'' on the underlying measure, and I yield back the balance of my time.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my friend just mentioned ''the least'' we can do. Well, this is not the time to do the least of anything. We are faced with a pandemic, haven't seen the likes of this since 1918. This is a big deal. It impacts every part of our economy. And they are talking about ''the least.''

Well, you know what? We have to help our small businesses; we have to help our schools. We have to protect our first responders and our healthcare workers. This impacts everybody. And the notion that they can't muster the political will to pick up the phone and ask the Senate to negotiate with us is really, really sad, and it is a disservice to the people of this country.

Mr. Speaker, I get it. Like everything in the HEROES Act—well, that is what a negotiation is for, you go back and forth, and you trade things off. I would argue everything in the HEROES Act is necessary and important.

Mr. Speaker, I would urge my colleagues to support the rule. It includes an important energy bill that will help us deal with the climate crisis, which is real—no matter what the President says, we have a climate crisis—and some human rights legislation as well, to stand up for the human rights of the Uyghurs, and make sure that no U.S. or international businesses are utilizing forced labor by the Chinese Government against the Uyghurs.

Mr. Speaker, again, we have a job to do here, and that is to provide relief during this pandemic. And it really is frustrating that my Republican friends have done nothing—done nothing—to help get us to a solution.

Mr. Speaker, I would urge all my colleagues to join with us in support of the rule and the underlying measure. Please vote ''yes'' on the previous question.

The material previously referred to by Mrs. LESKO is as follows:

AMENDMENT TO HOUSE RESOLUTION 1129

At the end of the resolution, add the following:

SEC. 7. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 8265) to amend the Small Business Act and the CARES Act to establish a program for second draw loans and make other modifications to the paycheck protection program, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Small Business; and (2) one motion to recommit.

SEC. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 8265.

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

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

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

Mrs. LESKO. Mr. Speaker, on that I demand the yeas and nays.

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

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

CARL NUNZIATO VA CLINIC

Mr. TAKANO. Madam Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (H.R. 5023) to name the Department of Veterans Affairs community-based outpatient clinic in Youngstown, Ohio, as the ''Carl Nunziato VA Clinic'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. BROWNLEY of California.) Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

H.R. 5023

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

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) Carl Nunziato graduated from Youngstown State University ROTC as the Distinguished Military Graduate in 1961 and commissioned into the U.S. Army.

(2) While serving, Major (ret.) Nunziato was stationed in Thailand during the Laotian Crisis. Major Nunziato later served two voluntary tours of combat duty in Vietnam.

(3) On his second tour, then-Captain Nunziato was severely injured, losing both legs from a mortar attack while protecting a small Vietnamese village in Soui Da.

(4) Major Nunziato spent two years at Walter Reed Military Hospital recovering from his wounds. He then returned home to Northeastern Ohio where he enrolled in Case Western University Law School earning a degree in 1971. Following retirement from active duty, Major Nunziato continuously championed the rights of veterans and the disabled, while establishing a distinguished career in banking and finance.

(5) Due to Major Nunziato's tireless efforts, a Department of Veterans Affairs outpatient clinic was established in Youngstown. Additionally, his exhaustive work throughout Mahoning County has brought curb cuts, wheel chair ramps and other accessibility measures to county public buildings, universities and courthouses, affording more independence to local disabled population. These efforts were borne from witnessing fellow disabled veterans denied justice and equality, after having fought and sacrificed for those same principles.

SEC. 2. NAME OF DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC, YOUNGSTOWN, OHIO.

The Department of Veterans Affairs community-based outpatient clinic in Youngstown, Ohio, shall, after the date of the enactment of this Act, be known and designated as the ''Carl Nunziato VA Clinic''. Any reference to such clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Carl Nunziato VA Clinic.

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

MARGARET COCHRAN CORBIN CAMPUS OF THE NEW YORK HARBOR HEALTH CARE SYSTEM

Mr. TAKANO. Madam Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (H.R. 1925) to designate the Manhattan Campus of the New York Harbor Health Care System of the Department of Veterans Affairs as the ''Margaret Cochran Corbin Campus of the New York Harbor Health Care System'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 1925

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

SECTION 1. DESIGNATION OF MANHATTAN CAMPUS OF THE NEW YORK HARBOR HEALTH CARE SYSTEM OF THE DEPARTMENT OF VETERANS AFFAIRS, NEW YORK.

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

(1) Margaret Cochran was born in Franklin County, Pennsylvania, on November 12, 1751, and married John Corbin in 1772.

(2) Three years after the marriage, when John Corbin left to fight in the Revolutionary War as an artilleryman, Margaret Corbin accompanied him to war to support the Revolutionary Army.

(3) Margaret Corbin supported the Revolutionary Army by caring for injured and sick soldiers as well as by cooking and cleaning. During battle, she also helped her husband

load the cannon he was responsible for manning.

(4) On November 16, 1776, John Corbin was manning a cannon during the Battle of Fort Washington on Manhattan Island, New York, when he was killed. Margaret Corbin heroically took her husband's place, firing the cannon until she, too, was hit by enemy fire and seriously wounded.

(5) Having lost the use of her left arm, Margaret Corbin was assigned to the ''Invalid Regiment'' at West Point, New York.

(6) The Continental Congress awarded Margaret Corbin a lifelong pension for her injuries, making her the first woman to receive a pension from the United States by virtue of military service for the United States.

(7) Margaret Corbin died in 1789 in Highland Falls, New York. She is honored nearby at West Point as a hero of the Revolutionary War.

(b) DESIGNATION.—The Manhattan Campus of the New York Harbor Health Care System of the Department of Veterans Affairs in New York, New York, shall after the date of the enactment of this Act be known and designated as the ''Margaret Cochran Corbin Campus of the New York Harbor Health Care System''.

(c) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the Campus referred to in subsection (b) shall be deemed to be a reference to the Margaret Cochran Corbin Campus of the New York Harbor Health Care System.

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

LIEUTENANT COLONEL CHARLES S. KETTLES DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. TAKANO. Madam Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (H.R. 7347) to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the ''Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 7347

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

SECTION 1. DESIGNATION OF LIEUTENANT COLONEL CHARLES S. KETTLES DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.

(a) FINDINGS.—Congress finds the following:

(1) Lieutenant Colonel Charles S. Kettles was born in Ypsilanti, Michigan, on January 9, 1930.

(2) Lieutenant Colonel Kettles was drafted to the Army at age 21, and after attending Officer Candidate School, earned his commission as an armor officer in the United States Army Reserve on February 28, 1953.

(3) Lieutenant Colonel Kettles graduated from the Army Aviation School in 1953 before serving active duty tours in South Korea, Japan, and Thailand.

(4) Lieutenant Colonel Kettles volunteered for active duty in 1963 when the United States was engaged in the Vietnam War.

(5) Some of the awards and decorations earned by Lieutenant Colonel Kettles include the following:

(A) The Medal of Honor.

(B) The Distinguished Service Cross.

(C) The Legion of Merit.

(D) The Distinguished Flying Cross.

(E) The Bronze Star Medal with one oak leaf cluster.

(F) The Air Medal with numeral 27.

(G) The Korean Service Medal.

(H) The Vietnam Service Medal with one silver service star and one bronze service star.

(I) The Master Aviator Badge.

(6) The Medal of Honor citation for Lieutenant Colonel Kettles states, ''Major Charles S. Kettles distinguished himself by conspicuous gallantry and intrepidity while serving as Flight Commander, 176th Aviation Company (Airmobile) (Light), 14th Combat Aviation Battalion, Americal Division near Duc Pho, Republic of Vietnam. On 15 May 1967, Major Kettles, upon learning that an airborne infantry unit had suffered casualties during an intense firefight with the enemy, immediately volunteered to lead a flight of six UH–1D helicopters to carry reinforcements to the embattled force and to evacuate wounded personnel. Enemy small arms, automatic weapons, and mortar fire raked the landing zone, inflicting heavy damage to the helicopters; however, Major Kettles refused to depart until all helicopters were loaded to capacity. He then returned to the battlefield, with full knowledge of the intense enemy fire awaiting his arrival, to bring more reinforcements, landing in the midst of enemy mortar and automatic weapons fire that seriously wounded his gunner and severely damaged his aircraft. Upon departing, Major Kettles was advised by another helicopter crew that he had fuel streaming out of his aircraft. Despite the risk posed by the leaking fuel, he nursed the damaged aircraft back to base. Later that day, the Infantry Battalion Commander requested immediate, emergency extraction of the remaining 40 troops, including four members of Major Kettles' unit who were stranded when their helicopter was destroyed by enemy fire. With only one flyable UH–1 helicopter remaining, Major Kettles volunteered to return to the deadly landing zone for a third time, leading a flight of six evacuation helicopters, five of which were from the 161st Aviation Company. During the extraction, Major Kettles was informed by the last helicopter that all personnel were onboard, and departed the landing zone accordingly. Army gunships supporting the evacuation also departed the area. Once airborne, Major Kettles was advised that eight troops had been unable to reach the evacuation helicopters due to the intense enemy fire. With complete disregard for his own safety, Major Kettles passed the lead to another helicopter and returned to the landing zone to rescue the remaining troops. Without gunship, artillery, or tactical aircraft support, the enemy concentrated all firepower on his lone aircraft, which was immediately damaged by a mortar round that shattered both front windshields and the chin bubble and was further raked by small arms and machine gun fire. Despite the intense enemy fire, Major Kettles maintained control of the aircraft and situation, allowing time for the remaining eight soldiers to board the aircraft. In spite of the severe damage to his helicopter, Major Kettles once more skillfully guided his heavily damaged aircraft to safety. Without his courageous actions and superior flying skills, the last group of soldiers and his crew would never have made it off the battlefield. Major Kettles' selfless acts of repeated valor and determination are in keeping with the highest traditions of military service and reflect great credit upon himself and the United States Army.''.

(b) DESIGNATION.—The medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, shall after the date of the enactment of this Act be known and designated as the ''Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center'' or the ''Lieutenant Colonel Charles S. Kettles VA Medical Center''.

(c) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the medical center referred to in subsection (b) shall be considered to be a reference to the Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center.

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

ROBERT D. MAXWELL DEPARTMENT OF VETERANS AFFAIRS CLINIC

Mr. TAKANO. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4072) to designate the clinic of the Department of Veterans Affairs in Bend, Oregon, as the ''Robert D. Maxwell Department of Veterans Affairs Clinic'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 4072

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

SECTION 1. DESIGNATION OF ROBERT D. MAXWELL DEPARTMENT OF VETERANS AFFAIRS CLINIC.

(a) DESIGNATION.—The clinic of the Department of Veterans Affairs located at 2650 NE Courtney Drive, Bend, Oregon, shall after the date of the enactment of this Act be known and designated as the ''Robert D. Maxwell Department of Veterans Affairs Clinic'' or the ''Robert D. Maxwell VA Clinic''.

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the Robert D. Maxwell Department of Veterans Affairs Clinic.

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

LEO C. CHASE JR. DEPARTMENT OF VETERANS AFFAIRS CLINIC

Mr. TAKANO. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1646) to designate the community-based outpatient clinic of the Department of Veterans Affairs in St. Augustine, Florida, as the ''Leo C. Chase Jr. Department of Veterans Affairs Clinic'',

and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 1646

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

SECTION 1. DESIGNATION OF LEO C. CHASE JR. DEPARTMENT OF VETERANS AFFAIRS CLINIC.

(a) DESIGNATION.—The community-based outpatient clinic of the Department of Veterans Affairs located at 207 Stratton Road, St. Augustine, Florida, shall after the date of the enactment of this Act be known and designated as the ''Leo C. Chase Jr. Department of Veterans Affairs Clinic'' or the ''Leo C. Chase Jr. VA Clinic''.

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be considered to be a reference to the Leo C. Chase Jr. Department of Veterans Affairs Clinic.

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

STAFF SERGEANT ALEXANDER W. CONRAD VETERANS AFFAIRS HEALTH CARE CLINIC

Mr. TAKANO. Madam Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (H.R. 4983) to designate the Department of Veterans Affairs community-based outpatient clinic in Gilbert, Arizona, as the ''Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 4983

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) Staff Sergeant Alexander W. Conrad of Chandler, Arizona, joined the United States Army on June 1, 2010.

(2) Staff Sergeant Conrad's decorated service includes two deployments to Afghanistan in support of Operation Enduring Freedom.

(3) Staff Sergeant Conrad subsequently deployed to Africa in support of Operation Octave Shield, while assigned to 1st Battalion, 3rd Special Forces Group, Fort Bragg, North Carolina, as a Human Intelligence Noncommissioned Officer.

(4) On June 8, 2018, Staff Sergeant Conrad died in Somalia from injuries sustained from indirect enemy fire.

(5) Staff Sergeant Conrad was posthumously awarded the Purple Heart, Bronze Star with Valor, and Meritorious Service Medal.

SEC. 2. DESIGNATION OF STAFF SERGEANT ALEXANDER W. CONRAD VETERANS AFFAIRS HEALTH CARE CLINIC.

(a) DESIGNATION.—The Southeast Veterans Affairs Health Care Clinic located at 3285 South Val Vista Drive, Gilbert, Arizona, shall after the date of the enactment of this Act be known and designated as the ''Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic''.

(b) REFERENCE.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic''.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

COMMANDER JOHN SCOTT HANNON VETERANS MENTAL HEALTH CARE IMPROVEMENT ACT OF 2019

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (S. 785) to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 785

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019''.

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

Sec. 1. Short title; table of contents.

TITLE I—IMPROVEMENT OF TRANSITION OF INDIVIDUALS TO SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS

Sec. 101. Strategic plan on expansion of health care coverage for veterans transitioning from service in the Armed Forces.

Sec. 102. Review of records of former members of the Armed Forces who die by suicide within one year of separation from the Armed Forces.

Sec. 103. Report on REACH VET program of Department of Veterans Affairs.

Sec. 104. Report on care for former members of the Armed Forces with other than honorable discharge.

TITLE II—SUICIDE PREVENTION

Sec. 201. Financial assistance to certain entities to provide or coordinate the provision of suicide prevention services for eligible individuals and their families.

Sec. 202. Analysis on feasibility and advisability of the Department of Veterans Affairs providing certain complementary and integrative health services.

Sec. 203. Pilot program to provide veterans access to complementary and integrative health programs through animal therapy, agritherapy, sports and recreation therapy, art therapy, and posttraumatic growth programs.

Sec. 204. Department of Veterans Affairs study of all-cause mortality of veterans, including by suicide, and review of staffing levels of mental health professionals.

Sec. 205. Comptroller General report on management by Department of Veterans Affairs of veterans at high risk for suicide.

TITLE III—PROGRAMS, STUDIES, AND GUIDELINES ON MENTAL HEALTH

Sec. 301. Study on connection between living at high altitude and suicide risk factors among veterans.

Sec. 302. Establishment by Department of Veterans Affairs and Department of Defense of a clinical provider treatment toolkit and accompanying training materials for comorbidities.

Sec. 303. Update of clinical practice guidelines for assessment and management of patients at risk for suicide.

Sec. 304. Establishment by Department of Veterans Affairs and Department of Defense of clinical practice guidelines for the treatment of serious mental illness.

Sec. 305. Precision medicine initiative of Department of Veterans Affairs to identify and validate brain and mental health biomarkers.

Sec. 306. Statistical analyses and data evaluation by Department of Veterans Affairs.

TITLE IV—OVERSIGHT OF MENTAL HEALTH CARE AND RELATED SERVICES

Sec. 401. Study on effectiveness of suicide prevention and mental health outreach programs of Department of Veterans Affairs.

Sec. 402. Oversight of mental health and suicide prevention media outreach conducted by Department of Veterans Affairs.

Sec. 403. Comptroller General management review of mental health and suicide prevention services of Department of Veterans Affairs.

Sec. 404. Comptroller General report on efforts of Department of Veterans Affairs to integrate mental health care into primary care clinics.

Sec. 405. Joint mental health programs by Department of Veterans Affairs and Department of Defense.

TITLE V—IMPROVEMENT OF MENTAL HEALTH MEDICAL WORKFORCE

Sec. 501. Staffing improvement plan for mental health providers of Department of Veterans Affairs.

Sec. 502. Establishment of Department of Veterans Affairs Readjustment Counseling Service Scholarship Program.

Sec. 503. Comptroller General report on Readjustment Counseling Service of Department of Veterans Affairs.

Sec. 504. Expansion of reporting requirements on Readjustment Counseling Service of Department of Veterans Affairs.

Sec. 505. Briefing on alternative work schedules for employees of Veterans Health Administration.
Sec. 506. Suicide prevention coordinators.
Sec. 507. Report on efforts by Department of Veterans Affairs to implement safety planning in emergency departments.

TITLE VI—IMPROVEMENT OF CARE AND SERVICES FOR WOMEN VETERANS

Sec. 601. Expansion of capabilities of Women Veterans Call Center to include text messaging.
Sec. 602. Requirement for Department of Veterans Affairs internet website to provide information on services available to women veterans.

TITLE VII—OTHER MATTERS

Sec. 701. Expanded telehealth from Department of Veterans Affairs.
Sec. 702. Partnerships with non-Federal Government entities to provide hyperbaric oxygen therapy to veterans and studies on the use of such therapy for treatment of post-traumatic stress disorder and traumatic brain injury.
Sec. 703. Prescription of technical qualifications for licensed hearing aid specialists and requirement for appointment of such specialists.
Sec. 704. Use by Department of Veterans Affairs of commercial institutional review boards in sponsored research trials.
Sec. 705. Creation of Office of Research Reviews within the Office of Information and Technology of the Department of Veterans Affairs.

TITLE I—IMPROVEMENT OF TRANSITION OF INDIVIDUALS TO SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS

SEC. 101. STRATEGIC PLAN ON EXPANSION OF HEALTH CARE COVERAGE FOR VETERANS TRANSITIONING FROM SERVICE IN THE ARMED FORCES.

(a) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress and publish on a website of the Department of Veterans Affairs a strategic plan for the provision by the Department of health care to any veteran during the one-year period following the discharge or release of the veteran from active military, naval, or air service.

(2) ELEMENTS.—The plan submitted under paragraph (1) shall include the following:

(A) An identification of general goals and objectives for the provision of health care to veterans described in such paragraph.

(B) A description of how such goals and objectives are to be achieved, including—

(i) a description of the use of existing personnel, information, technology, facilities, public and private partnerships, and other resources of the Department of Veterans Affairs;

(ii) a description of the anticipated need for additional resources for the Department; and

(iii) an assessment of cost.

(C) An analysis of the anticipated health care needs, including mental health care, for such veterans, disaggregated by geographic area.

(D) An analysis of whether such veterans are eligible for enrollment in the system of annual patient enrollment of the Department under section 1705(a) of title 38, United States Code.

(E) A description of activities designed to promote the availability of health care from the Department for such veterans, including outreach to members of the Armed Forces though the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

(F) A description of legislative or administrative action required to carry out the plan.

(G) A description of how the plan would further the ongoing initiatives under Executive Order 13822 (83 Fed. Reg. 1513; relating to supporting our veterans during their transition from uniformed service to civilian life) to provide seamless access to high-quality mental health care and suicide prevention resources to veterans as they transition, with an emphasis on the one-year period following separation.

(b) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101(24) of title 38, United States Code.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 102. REVIEW OF RECORDS OF FORMER MEMBERS OF THE ARMED FORCES WHO DIE BY SUICIDE WITHIN ONE YEAR OF SEPARATION FROM THE ARMED FORCES.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly review the records of each former member of the Armed Forces who died by suicide, as determined by the Secretary of Defense or the Secretary of Veterans Affairs, within one year following the discharge or release of the former member from active military, naval, or air service during the five-year period preceding the date of the enactment of this Act.

(2) RECORDS TO BE REVIEWED.—In completing the review required under paragraph (1), the Secretary of Defense and the Secretary of Veterans Affairs shall review the following records maintained by the Department of Defense:

(A) Health treatment records.

(B) Fitness, medical, and dental records.

(C) Ancillary training records.

(D) Safety forms and additional duties sections of the personnel information files.

(b) ELEMENTS.—The review required by subsection (a) with respect to a former member of the Armed Forces shall include consideration of the following:

(1) Whether the Department of Defense had identified the former member as being at elevated risk during the 365-day period before separation of the member from the Armed Forces.

(2) In the case that the member was identified as being at elevated risk as described in paragraph (1), whether that identification had been communicated to the Department of Veterans Affairs via the Solid Start initiative of the Department pursuant to Executive Order 13822 (83 Fed. Reg. 1513; relating to supporting our veterans during their transition from uniformed service to civilian life), or any other means.

(3) The presence of evidence-based and empirically-supported contextual and individual risk factors specified in subsection (c) with respect to the former member and how those risk factors correlated to the circumstances of the death of the former member.

(4) Demographic variables, including the following:

(A) Sex.

(B) Age.

(C) Rank at separation from the Armed Forces.

(D) Career field after separation from the Armed Forces.

(E) State and county of residence one month prior to death.

(F) Branch of service in the Armed Forces.

(G) Marital status.

(H) Reason for separation from the Armed Forces.

(5) Support or medical services furnished to the former member through the Department of Defense, specified by the type of service or care provided.

(6) Support or medical services furnished to the former member through the Department of Veterans Affairs, specified by the type of service or care provided.

(c) EVIDENCE-BASED AND EMPIRICALLY-SUPPORTED CONTEXTUAL AND INDIVIDUAL RISK FACTORS.—Evidence-based and empirically-supported contextual and individual risk factors specified in this subsection include the following:

(1) Exposure to violence.

(2) Exposure to suicide.

(3) Housing instability.

(4) Financial instability.

(5) Vocational problems or insecurity.

(6) Legal problems.

(7) Highly acute or significantly chronic relational problems.

(8) Limited access to health care.

(d) REPORT.—Not later than three years after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress an aggregated report on the results of the review conducted under subsection (a) with respect to the year-one cohort of former members of the Armed Forces covered by the review.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101(24) of title 38, United States Code.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 103. REPORT ON REACH VET PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the REACH VET program.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the impact of the REACH VET program on rates of suicide among veterans.

(2) An assessment of how limits within the REACH VET program, such as caps on the number of veterans who may be flagged as high risk, are adjusted for differing rates of suicide across the country.

(3) A detailed explanation, with evidence, for why the conditions included in the model used by the REACH VET program were chosen, including an explanation as to why certain conditions, such as bipolar disorder II,

were not included even though they show a similar rate of risk for suicide as other conditions that were included.

(4) An assessment of the feasibility of incorporating certain economic data held by the Veterans Benefits Administration into the model used by the REACH VET program, including financial data and employment status, which research indicates may have an impact on risk for suicide.

(c) REACH VET PROGRAM DEFINED.—In this section, the term ''REACH VET program'' means the Recovery Engagement and Coordination for Health—Veterans Enhanced Treatment program of the Department of Veterans Affairs.

SEC. 104. REPORT ON CARE FOR FORMER MEMBERS OF THE ARMED FORCES WITH OTHER THAN HONORABLE DISCHARGE.

Section 1720I(f) of title 38, United States Code, is amended—

(1) in paragraph (1) by striking ''Not less frequently than once'' and inserting ''Not later than February 15''; and

(2) in paragraph (2)—

(A) by redesignating subparagraph (C) as subparagraph (F); and

(B) by inserting after subsection (B) the following new subparagraphs:

''(C) The types of mental or behavioral health care needs treated under this section.

''(D) The demographics of individuals being treated under this section, including—

''(i) age;

''(ii) era of service in the Armed Forces;

''(iii) branch of service in the Armed Forces; and

''(iv) geographic location.

''(E) The average number of visits for an individual for mental or behavioral health care under this section.''.

TITLE II—SUICIDE PREVENTION

SEC. 201. FINANCIAL ASSISTANCE TO CERTAIN ENTITIES TO PROVIDE OR COORDINATE THE PROVISION OF SUICIDE PREVENTION SERVICES FOR ELIGIBLE INDIVIDUALS AND THEIR FAMILIES.

(a) PURPOSE; DESIGNATION.—

(1) PURPOSE.—The purpose of this section is to reduce veteran suicide through a community-based grant program to award grants to eligible entities to provide or coordinate suicide prevention services to eligible individuals and their families.

(2) DESIGNATION.—The grant program under this section shall be known as the ''Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program''.

(b) FINANCIAL ASSISTANCE AND COORDINATION.—The Secretary shall provide financial assistance to eligible entities approved under this section through the award of grants to such entities to provide or coordinate the provision of services to eligible individuals and their families to reduce the risk of suicide. The Secretary shall carry out this section in coordination with the President's Roadmap to Empower Veterans and End a National Tragedy of Suicide Task Force and in consultation with the Office of Mental Health and Suicide Prevention of the Department, to the extent practicable.

(c) AWARD OF GRANTS.—

(1) IN GENERAL.—The Secretary shall award a grant to each eligible entity for which the Secretary has approved an application under subsection (f) to provide or coordinate the provision of suicide prevention services under this section.

(2) GRANT AMOUNTS, INTERVALS OF PAYMENT, AND MATCHING FUNDS.—In accordance with the services being provided under a grant under this section and the duration of those services, the Secretary shall establish—

(A) a maximum amount to be awarded under the grant of not more than $750,000 per grantee per fiscal year; and

(B) intervals of payment for the administration of the grant.

(d) DISTRIBUTION OF GRANTS AND PREFERENCE.—

(1) DISTRIBUTION.—

(A) PRIORITY.—In compliance with subparagraphs (B) and (C), in determining how to distribute grants under this section, the Secretary may prioritize—

(i) rural communities;

(ii) Tribal lands;

(iii) territories of the United States;

(iv) medically underserved areas;

(v) areas with a high number or percentage of minority veterans or women veterans; and

(vi) areas with a high number or percentage of calls to the Veterans Crisis Line.

(B) AREAS WITH NEED.—The Secretary shall ensure that, to the extent practicable, grants under this section are distributed—

(i) to provide services in areas of the United States that have experienced high rates of suicide by eligible individuals, including suicide attempts; and

(ii) to eligible entities that can assist eligible individuals at risk of suicide who are not currently receiving health care furnished by the Department.

(C) GEOGRAPHY.—In distributing grants under this paragraph, the Secretary may provide grants to eligible entities that furnish services to eligible individuals and their families in geographically dispersed areas.

(2) PREFERENCE.—The Secretary shall give preference to eligible entities that have demonstrated the ability to provide or coordinate suicide prevention services.

(e) REQUIREMENTS FOR RECEIPT OF GRANTS.—

(1) NOTIFICATION THAT SERVICES ARE FROM DEPARTMENT.—Each entity receiving a grant under this section to provide or coordinate suicide prevention services to eligible individuals and their families shall notify the recipients of such services that such services are being paid for, in whole or in part, by the Department.

(2) DEVELOPMENT OF PLAN WITH ELIGIBLE INDIVIDUALS AND THEIR FAMILY.—Any plan developed with respect to the provision of suicide prevention services for an eligible individual or their family shall be developed in consultation with the eligible individual and their family.

(3) COORDINATION.—An entity receiving a grant under this section shall—

(A) coordinate with the Secretary with respect to the provision of clinical services to eligible individuals in accordance with subsection (n) or any other provisions of the law regarding the delivery of health care by the Secretary;

(B) inform every veteran who receives assistance under this section from the entity of the ability of the veteran to apply for enrollment in the patient enrollment system of the Department under section 1705(a) of title 38, United States Code; and

(C) if such a veteran wishes to so enroll, inform the veteran of a point of contact at the Department who can assist the veteran in such enrollment.

(4) MEASUREMENT AND MONITORING.—An entity receiving a grant under this section shall submit to the Secretary a description of such tools and assessments the entity uses or will use to determine the effectiveness of the services furnished by the entity, which shall include the measures developed under subsection (h)(2) and may include—

(A) the effect of the services furnished by the entity on the financial stability of the eligible individual;

(B) the effect of the services furnished by the entity on the mental health status, wellbeing, and suicide risk of the eligible individual; and

(C) the effect of the services furnished by the entity on the social support of the eligible individuals receiving those services.

(5) REPORTS.—The Secretary—

(A) shall require each entity receiving a grant under this section to submit to the Secretary an annual report that describes the projects carried out with such grant during the year covered by the report;

(B) shall specify to each such entity the evaluation criteria and data and information to be submitted in such report; and

(C) may require each such entity to submit to the Secretary such additional reports as the Secretary considers appropriate.

(f) APPLICATION FOR GRANTS.—

(1) IN GENERAL.—An eligible entity seeking a grant under this section shall submit to the Secretary an application therefor in such form, in such manner, and containing such commitments and information as the Secretary considers necessary to carry out this section.

(2) MATTERS TO BE INCLUDED.—Each application submitted by an eligible entity under paragraph (1) shall contain the following:

(A) A description of the suicide prevention services proposed to be provided by the eligible entity and the identified need for those services.

(B) A detailed plan describing how the eligible entity proposes to coordinate or deliver suicide prevention services to eligible individuals, including—

(i) an identification of the community partners, if any, with which the eligible entity proposes to work in delivering such services;

(ii) a description of the arrangements currently in place between the eligible entity and such partners with regard to the provision or coordination of suicide prevention services;

(iii) an identification of how long such arrangements have been in place;

(iv) a description of the suicide prevention services provided by such partners that the eligible entity shall coordinate, if any; and

(v) an identification of local suicide prevention coordinators of the Department and a description of how the eligible entity will communicate with local suicide prevention coordinators.

(C) A description of the population of eligible individuals and their families proposed to be provided suicide prevention services.

(D) Based on information and methods developed by the Secretary for purposes of this subsection, an estimate of the number of eligible individuals at risk of suicide and their families proposed to be provided suicide prevention services, including the percentage of those eligible individuals who are not currently receiving care furnished by the Department.

(E) Evidence of measurable outcomes related to reductions in suicide risk and mood-related symptoms utilizing validated instruments by the eligible entity (and the proposed partners of the entity, if any) in providing suicide prevention services to individuals at risk of suicide, particularly to eligible individuals and their families.

(F) A description of the managerial and technological capacity of the eligible entity—

(i) to coordinate the provision of suicide prevention services with the provision of other services;

(ii) to assess on an ongoing basis the needs of eligible individuals and their families for suicide prevention services;

(iii) to coordinate the provision of suicide prevention services with the services of the Department for which eligible individuals are also eligible;

(iv) to tailor suicide prevention services to the needs of eligible individuals and their families;

(v) to seek continuously new sources of assistance to ensure the continuity of suicide prevention services for eligible individuals and their families as long as they are determined to be at risk of suicide; and

(vi) to measure the effects of suicide prevention services provided by the eligible entity or partner organization, in accordance with subsection (h)(2), on the lives of eligible individuals and their families who receive such services provided by the organization using pre- and post-evaluations on validated measures of suicide risk and mood-related symptoms.

(G) Clearly defined objectives for the provision of suicide prevention services.

(H) A description and physical address of the primary location of the eligible entity.

(I) A description of the geographic area the eligible entity plans to serve during the grant award period for which the application applies.

(J) If the eligible entity is a State or local government or an Indian tribe, the amount of grant funds proposed to be made available to community partners, if any, through agreements.

(K) A description of how the eligible entity will assess the effectiveness of the provision of grants under this section.

(L) An agreement to use the measures and metrics provided by the Department for the purposes of measuring the effectiveness of the programming as described in subsection (h)(2).

(M) Such additional application criteria as the Secretary considers appropriate.

(g) TRAINING AND TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall provide training and technical assistance, in coordination with the Centers for Disease Control and Prevention, to eligible entities in receipt of grants under this section regarding—

(A) suicide risk identification and management;

(B) the data required to be collected and shared with the Department;

(C) the means of data collection and sharing;

(D) familiarization with and appropriate use of any tool to be used to measure the effectiveness of the use of the grants provided; and

(E) the requirements for reporting under subsection (e)(5) on services provided via such grants.

(2) PROVISION OF TRAINING AND TECHNICAL ASSISTANCE.—The Secretary may provide the training and technical assistance described in paragraph (1) directly or through grants or contracts with appropriate public or nonprofit entities.

(h) ADMINISTRATION OF GRANT PROGRAM.—

(1) SELECTION CRITERIA.—The Secretary, in consultation with entities specified in paragraph (3), shall establish criteria for the selection of eligible entities that have submitted applications under subsection (f).

(2) DEVELOPMENT OF MEASURES AND METRICS.—The Secretary shall develop, in consultation with entities specified in paragraph (3), the following:

(A) A framework for collecting and sharing information about entities in receipt of grants under this section for purposes of improving the services available for eligible individuals and their families, set forth by service type, locality, and eligibility criteria.

(B) The measures and metrics to be used by each entity in receipt of grants under this section to determine the effectiveness of the programming being provided by such entity in improving mental health status, wellbeing, and reducing suicide risk and completed suicides of eligible individuals and their families, which shall include an existing measurement tool or protocol for the grant recipient to utilize when determining programmatic effectiveness.

(3) COORDINATION.—In developing a plan for the design and implementation of the provision of grants under this section, including criteria for the award of grants, the Secretary shall consult with the following:

(A) Veterans service organizations.

(B) National organizations representing potential community partners of eligible entities in providing supportive services to address the needs of eligible individuals and their families, including national organizations that—

(i) advocate for the needs of individuals with or at risk of behavioral health conditions;

(ii) represent mayors;

(iii) represent unions;

(iv) represent first responders;

(v) represent chiefs of police and sheriffs;

(vi) represent governors;

(vii) represent a territory of the United States; or

(viii) represent a Tribal alliance.

(C) National organizations representing members of the Armed Forces.

(D) National organizations that represent counties.

(E) Organizations with which the Department has a current memorandum of agreement or understanding related to mental health or suicide prevention.

(F) State departments of veterans affairs.

(G) National organizations representing members of the reserve components of the Armed Forces.

(H) National organizations representing members of the Coast Guard.

(I) Organizations, including institutions of higher education, with experience in creating measurement tools for purposes of advising the Secretary on the most appropriate existing measurement tool or protocol for the Department to utilize.

(J) The National Alliance on Mental Illness.

(K) A labor organization (as such term is defined in section 7103(a)(4) of title 5, United States Code).

(L) The Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Services Administration, the President's Roadmap to Empower Veterans and End a National Tragedy of Suicide Task Force, and such other organizations as the Secretary considers appropriate.

(4) REPORT ON GRANT CRITERIA.—Not later than 30 days before notifying eligible entities of the availability of funding under this section, the Secretary shall submit to the appropriate committees of Congress a report containing—

(A) criteria for the award of a grant under this section;

(B) the already developed measures and metrics to be used by the Department to measure the effectiveness of the use of grants provided under this section as described in subsection (h)(2); and

(C) a framework for the sharing of information about entities in receipt of grants under this section.

(i) INFORMATION ON POTENTIAL ELIGIBLE INDIVIDUALS.—

(1) IN GENERAL.—The Secretary may make available to recipients of grants under this section certain information regarding potential eligible individuals who may receive services for which such grant is provided.

(2) INFORMATION INCLUDED.—The information made available under paragraph (1) with respect to potential eligible individuals may include the following:

(A) Confirmation of the status of a potential eligible individual as a veteran.

(B) Confirmation of whether the potential eligible individual is enrolled in the patient enrollment system of the Department under section 1705(a) of title 38, United States Code.

(C) Confirmation of whether a potential eligible individual is currently receiving care furnished by the Department or has recently received such care.

(3) OPT-OUT.—The Secretary shall allow an eligible individual to opt out of having their information shared under this subsection with recipients of grants under this section.

(j) DURATION.—The authority of the Secretary to provide grants under this section shall terminate on the date that is three years after the date on which the first grant is awarded under this section.

(k) REPORTING.—

(1) INTERIM REPORT.—

(A) IN GENERAL.—Not later than 18 months after the date on which the first grant is awarded under this section, the Secretary shall submit to the appropriate committees of Congress a report on the provision of grants to eligible entities under this section.

(B) ELEMENTS.—The report submitted under subparagraph (A) shall include the following:

(i) An assessment of the effectiveness of the grant program under this section, including—

(I) the effectiveness of grant recipients and their community partners, if any, in conducting outreach to eligible individuals;

(II) the effectiveness of increasing eligible individuals engagement in suicide prevention services; and

(III) such other validated instruments and additional measures as determined by the Secretary and as described in subsection (h)(2).

(ii) A list of grant recipients and their partner organizations, if any, that delivered services funded by the grant and the amount of such grant received by each recipient and partner organization.

(iii) The number of eligible individuals supported by each grant recipient, including through services provided to family members, disaggregated by—

(I) all demographic characteristics as determined necessary and appropriate by the Secretary in coordination with the Centers for Disease Control and Prevention;

(II) whether each such eligible individual is enrolled in the patient enrollment system of the Department under section 1705(a) of title 38, United States Code;

(III) branch of service in the Armed Forces;

(IV) era of service in the Armed Forces;

(V) type of service received by the eligible individual; and

(VI) whether each such eligible individual was referred to the Department for care.

(iv) The number of eligible individuals supported by grants under this section, including through services provided to family members.

(v) The number of eligible individuals described in clause (iv) who were not previously receiving care furnished by the Department, with specific numbers for the population of eligible individuals described in subsection (q)(4)(B).

(vi) The number of eligible individuals whose mental health status, wellbeing, and suicide risk received a baseline measurement assessment under this section and the number of such eligible individuals whose mental health status, wellbeing, and suicide risk will be measured by the Department or a community partner over a period of time for any improvements.

(vii) The types of data the Department was able to collect and share with partners, including a characterization of the benefits of that data.

(viii) The number and percentage of eligible individuals referred to the point of contact at the Department under subsection (e)(3)(C).

(ix) The number of eligible individuals newly enrolled in the patient enrollment system of the Department under section 1705(a) of title 38, United States Code based on a referral to the Department from a grant recipient under subsection (e)(3)(C), disaggregated by grant recipient.

(x) A detailed account of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.

(xi) A description of any outreach activities conducted by the eligible entity in receipt of a grant with respect to services provided using the grant.

(xii) The number of individuals who seek services from the grant recipient who are not eligible individuals.

(C) SUBMITTAL OF INFORMATION BY GRANT RECIPIENTS.—The Secretary may require eligible entities receiving grants under this section to provide to Congress such information as the Secretary determines necessary regarding the elements described in subparagraph (B).

(2) FINAL REPORT.—Not later than three years after the date on which the first grant is awarded under this section, and annually thereafter for each year in which the program is in effect, the Secretary shall submit to the appropriate committees of Congress—

(A) a follow-up on the interim report submitted under paragraph (1) containing the elements set forth in subparagraph (B) of such paragraph; and

(B) a report on—

(i) the effectiveness of the provision of grants under this section, including the effectiveness of community partners in conducting outreach to eligible individuals and their families and reducing the rate of suicide among eligible individuals;

(ii) an assessment of the increased capacity of the Department to provide services to eligible individuals and their families, set forth by State, as a result of the provision of grants under this section;

(iii) the feasibility and advisability of extending or expanding the provision of grants consistent with this section; and

(iv) such other elements as considered appropriate by the Secretary.

(l) THIRD-PARTY ASSESSMENT.—

(1) STUDY OF GRANT PROGRAM.—

(A) IN GENERAL.—Not later than 180 days after the commencement of the grant program under this section, the Secretary shall seek to enter into a contract with an appropriate entity described in paragraph (3) to conduct a study of the grant program.

(B) ELEMENTS OF STUDY.—In conducting the study under subparagraph (A), the appropriate entity shall—

(i) evaluate the effectiveness of the grant program under this section in—

(I) addressing the factors that contribute to suicides;

(II) increasing the use of suicide prevention services;

(III) reducing mood-related symptoms that increase suicide and suicide risk; and

(IV) where such information is available due to the time frame of the grant program, reducing suicidal ideation, suicide attempts, self-harm, and deaths by suicide; and

(V) reducing suicidal ideation, suicide attempts, self-harm, and deaths by suicide among eligible individuals through eligible entities located in communities; and

(ii) compare the results of the grant program with other national programs in delivering resources to eligible individuals in the communities where they live that address the factors that contribute to suicide.

(2) ASSESSMENT.—

(A) IN GENERAL.—The contract under paragraph (1) shall provide that not later than 24 months after the commencement of the grant program under this section, the appropriate entity shall submit to the Secretary an assessment based on the study conducted pursuant to such contract.

(B) SUBMITTAL TO CONGRESS.—Upon receipt of the assessment under subparagraph (A), the Secretary shall transmit to the appropriate committees of Congress a copy of the assessment.

(3) APPROPRIATE ENTITY.—An appropriate entity described in this paragraph is a nongovernment entity with experience optimizing and assessing organizations that deliver services and assessing the effectiveness of suicide prevention programs.

(m) REFERRAL FOR CARE.—

(1) MENTAL HEALTH ASSESSMENT.—If an eligible entity in receipt of a grant under this section determines that an eligible individual is at-risk of suicide or other mental or behavioral health condition pursuant to a baseline mental health screening conducted under subsection (q)(11)(A)(ii) with respect to the individual, the entity shall refer the eligible individual to the Department for additional care under subsection (n) or any other provision of law.

(2) EMERGENCY TREATMENT.—If an eligible entity in receipt of a grant under this section determines that an eligible individual furnished clinical services for emergency treatment under subsection (q)(11)(A)(iv) requires ongoing services, the entity shall refer the eligible individual to the Department for additional care under subsection (n) or any other provision of law.

(3) REFUSAL.—If an eligible individual refuses a referral by an entity under paragraph (1) or (2), any ongoing clinical services provided to the eligible individual by the entity shall be at the expense of the entity.

(n) PROVISION OF CARE TO ELIGIBLE INDIVIDUALS.—When the Secretary determines it is clinically appropriate, the Secretary shall furnish to eligible individuals who are receiving or have received suicide prevention services through grants provided under this section an initial mental health assessment and mental health or behavioral health care services authorized under chapter 17 of title 38, United States Code, that are required to treat the mental or behavioral health care needs of the eligible individual, including risk of suicide.

(o) AGREEMENTS WITH COMMUNITY PARTNERS.—

(1) IN GENERAL.—Subject to paragraph (2), an eligible entity may use grant funds to enter into an agreement with a community partner under which the eligible entity may provide funds to the community partner for the provision of suicide prevention services to eligible individuals and their families.

(2) LIMITATION.—The ability of a recipient of a grant under this section to provide grant funds to a community partner shall be limited to grant recipients that are a State or local government or an Indian tribe.

(p) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section a total of $174,000,000 for fiscal years 2021 through 2025.

(q) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of Veterans Affairs.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an incorporated private institution or foundation—

(i) no part of the net earnings of which incurs to the benefit of any member, founder, contributor, or individual; and

(ii) that has a governing board that would be responsible for the operation of the suicide prevention services provided under this section;

(B) a corporation wholly owned and controlled by an organization meeting the requirements of clauses (i) and (ii) of subparagraph (A);

(C) an Indian tribe;

(D) a community-based organization that can effectively network with local civic organizations, regional health systems, and other settings where eligible individuals and their families are likely to have contact; or

(E) A State or local government.

(4) ELIGIBLE INDIVIDUAL.—The term ''eligible individual'' includes a person at risk of suicide who is—

(A) a veteran as defined in section 101 of title 38, United States Code;

(B) an individual described in section 1720I(b) of such title; or

(C) an individual described in any of clauses (i) through (iv) of section 1712A(a)(1)(C) of such title.

(5) EMERGENCY TREATMENT.—Medical services, professional services, ambulance services, ancillary care and medication (including a short course of medication related to and necessary for the treatment of the emergency condition that is provided directly to or prescribed for the patient for use after the emergency condition is stabilized and the patient is discharged) was rendered in a medical emergency of such nature that a prudent layperson would have reasonably expected that delay in seeking immediate medical attention would have been hazardous to life or health. This standard is met by an emergency medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in placing the health of the individual in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part.

(6) FAMILY.—The term ''family'' means, with respect to an eligible individual, any of the following:

(A) A parent.

(B) A spouse.

(C) A child.

(D) A sibling.

(E) A step-family member.

(F) An extended family member.

(G) Any other individual who lives with the eligible individual.

(7) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(8) RISK OF SUICIDE.—

(A) IN GENERAL.—The term ''risk of suicide'' means exposure to, or the existence of, any of the following (to a degree determined by the Secretary pursuant to regulations):

(i) Health risk factors, including the following:

(I) Mental health challenges.
(II) Substance abuse.
(III) Serious or chronic health conditions or pain.
(IV) Traumatic brain injury.
(ii) Environmental risk factors, including the following:
(I) Prolonged stress.
(II) Stressful life events.
(III) Unemployment.
(IV) Homelessness.
(V) Recent loss.
(VI) Legal or financial challenges.
(iii) Historical risk factors, including the following:
(I) Previous suicide attempts.
(II) Family history of suicide.
(III) History of abuse, neglect, or trauma.
(B) DEGREE OF RISK.—The Secretary may, by regulation, establish a process for determining degrees of risk of suicide for use by grant recipients to focus the delivery of services using grant funds.
(9) RURAL.—The term ''rural'', with respect to a community, has the meaning given that term in the Rural-Urban Commuting Areas coding system of the Department of Agriculture.
(10) SECRETARY.—The term ''Secretary'' means the Secretary of Veterans Affairs.
(11) SUICIDE PREVENTION SERVICES.—
(A) IN GENERAL.—The term ''suicide prevention services'' means services to address the needs of eligible individuals and their families and includes the following:
(i) Outreach to identify those at risk of suicide with an emphasis on eligible individuals who are at highest risk or who are not receiving health care or other services furnished by the Department.
(ii) A baseline mental health screening for risk.
(iii) Education on suicide risk and prevention to families and communities.
(iv) Provision of clinical services for emergency treatment.
(v) Case management services.
(vi) Peer support services.
(vii) Assistance in obtaining any benefits from the Department that the eligible individual and their family may be eligible to receive, including—
(I) vocational and rehabilitation counseling;
(II) supportive services for homeless veterans;
(III) employment and training services;
(IV) educational assistance; and
(V) health care services.
(viii) Assistance in obtaining and coordinating the provision of other benefits provided by the Federal Government, a State or local government, or an eligible entity.
(ix) Assistance with emergent needs relating to—
(I) health care services;
(II) daily living services;
(III) personal financial planning and counseling;
(IV) transportation services;
(V) temporary income support services;
(VI) fiduciary and representative payee services;
(VII) legal services to assist the eligible individual with issues that may contribute to the risk of suicide; and
(VIII) child care (not to exceed $5,000 per family of an eligible individual per fiscal year).
(x) Nontraditional and innovative approaches and treatment practices, as determined appropriate by the Secretary, in consultation with appropriate entities.
(xi) Such other services necessary for improving the mental health status and wellbeing and reducing the suicide risk of eligible individuals and their families as the Secretary considers appropriate, which may include—
(I) adaptive sports, equine assisted therapy, or in-place or outdoor recreational therapy;
(II) substance use reduction programming;
(III) individual, group, or family counseling; and
(IV) relationship coaching.
(B) EXCLUSION.—The term ''suicide prevention services'' does not include direct cash assistance to eligible individuals or their families.
(12) VETERANS CRISIS LINE.—The term ''Veterans Crisis Line'' means the toll-free hotline for veterans established under section 1720F(h) of title 38, United States Code.
(13) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 202. ANALYSIS ON FEASIBILITY AND ADVISABILITY OF THE DEPARTMENT OF VETERANS AFFAIRS PROVIDING CERTAIN COMPLEMENTARY AND INTEGRATIVE HEALTH SERVICES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall complete an analysis on the feasibility and advisability of providing complementary and integrative health treatments described in subsection (c) at all medical facilities of the Department of Veterans Affairs.
(b) INCLUSION OF ASSESSMENT OF REPORT.—The analysis conducted under subsection (a) shall include an assessment of the final report of the Creating Options for Veterans' Expedited Recovery Commission (commonly referred to as the ''COVER Commission'') established under section 931 of the Jason Simcakoski Memorial and Promise Act (title IX of Public Law 114–198; 38 U.S.C. 1701 note) submitted under subsection (e)(2) of such section.
(c) TREATMENTS DESCRIBED.—Complementary and integrative health treatments described in this subsection shall consist of the following:
(1) Yoga.
(2) Meditation.
(3) Acupuncture.
(4) Chiropractic care.
(5) Other treatments that show sufficient evidence of efficacy at treating mental or physical health conditions, as determined by the Secretary.
(d) REPORT.—The Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the analysis completed under subsection (a), including—
(1) the results of such analysis; and
(2) such recommendations regarding the furnishing of complementary and integrative health treatments described in subsection (c) as the Secretary considers appropriate.

SEC. 203. PILOT PROGRAM TO PROVIDE VETERANS ACCESS TO COMPLEMENTARY AND INTEGRATIVE HEALTH PROGRAMS THROUGH ANIMAL THERAPY, AGRITHERAPY, SPORTS AND RECREATION THERAPY, ART THERAPY, AND POSTTRAUMATIC GROWTH PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date on which the Creating Options for Veterans' Expedited Recovery Commission (commonly referred to as the ''COVER Commission'') established under section 931 of the Jason Simcakoski Memorial and Promise Act (title IX of Public Law 114–198; 38 U.S.C. 1701 note) submits its final report under subsection (e)(2) of such section, the Secretary of Veterans Affairs shall commence the conduct of a pilot program to provide complementary and integrative health programs described in subsection (b) to eligible veterans from the Department of Veterans Affairs or through the use of non-Department entities for the treatment of posttraumatic stress disorder, depression, anxiety, or other conditions as determined by the Secretary.
(b) PROGRAMS DESCRIBED.—Complementary and integrative health programs described in this subsection may, taking into consideration the report described in subsection (a), consist of the following:
(1) Equine therapy.
(2) Other animal therapy.
(3) Agritherapy.
(4) Sports and recreation therapy.
(5) Art therapy.
(6) Posttraumatic growth programs.
(c) ELIGIBLE VETERANS.—A veteran is eligible to participate in the pilot program under this section if the veteran—
(1) is enrolled in the system of patient enrollment of the Department under section 1705(a) of title 38, United States Code; and
(2) has received health care under the laws administered by the Secretary during the two-year period preceding the initial participation of the veteran in the pilot program.
(d) DURATION.—
(1) IN GENERAL.—The Secretary shall carry out the pilot program under this section for a three-year period beginning on the commencement of the pilot program.
(2) EXTENSION.—The Secretary may extend the duration of the pilot program under this section if the Secretary, based on the results of the interim report submitted under subsection (f)(1), determines that it is appropriate to do so.
(e) LOCATIONS.—
(1) IN GENERAL.—The Secretary shall select not fewer than five facilities of the Department at which to carry out the pilot program under this section.
(2) SELECTION CRITERIA.—In selecting facilities under paragraph (1), the Secretary shall ensure that—
(A) the locations are in geographically diverse areas; and
(B) not fewer than three facilities serve veterans in rural or highly rural areas (as determined through the use of the Rural-Urban Commuting Areas coding system of the Department of Agriculture).
(f) REPORTS.—
(1) INTERIM REPORT.—
(A) IN GENERAL.—Not later than one year after the commencement of the pilot program under this section, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the progress of the pilot program.
(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:
(i) The number of participants in the pilot program.
(ii) The type or types of therapy offered at each facility at which the pilot program is being carried out.
(iii) An assessment of whether participation by a veteran in the pilot program resulted in any changes in clinically relevant endpoints for the veteran with respect to the conditions specified in subsection (a).
(iv) An assessment of the quality of life of veterans participating in the pilot program, including the results of a satisfaction survey of the participants in the pilot program, disaggregated by program under subsection (b).
(v) The determination of the Secretary with respect to extending the pilot program under subsection (d)(2).
(vi) Any recommendations of the Secretary with respect to expanding the pilot program.

(2) FINAL REPORT.—Not later than 90 days after the termination of the pilot program under this section, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a final report on the pilot program.

SEC. 204. DEPARTMENT OF VETERANS AFFAIRS STUDY OF ALL-CAUSE MORTALITY OF VETERANS, INCLUDING BY SUICIDE, AND REVIEW OF STAFFING LEVELS OF MENTAL HEALTH PROFESSIONALS.

(a) STUDY OF DEATHS OF VETERANS BY SUICIDE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the Secretary shall collaborate and coordinate with the National Academies on a revised study design to fulfill the goals of the 2019 study design of the National Academies described in the explanatory statement accompanying the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), as part of current and additional research priorities of the Department of Veterans Affairs, to evaluate the effects of opioids and benzodiazepine on all-cause mortality of veterans, including suicide, regardless of whether information relating to such deaths has been reported by the Centers for Disease Control and Prevention.

(2) GOALS.—In carrying out the collaboration and coordination under paragraph (1), the Secretary shall seek as much as possible to achieve the same advancement of useful knowledge as the 2019 study design described in such paragraph.

(b) REVIEW OF STAFFING LEVELS FOR MENTAL HEALTH PROFESSIONALS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the staffing levels for mental health professionals of the Department.

(2) ELEMENTS.—The review required by paragraph (1) shall include a description of the efforts of the Department to maintain appropriate staffing levels for mental health professionals, such as mental health counselors, marriage and family therapists, and other appropriate counselors, including the following:

(A) A description of any impediments to carry out the education, training, and hiring of mental health counselors and marriage and family therapists under section 7302(a) of title 38, United States Code, and strategies for addressing those impediments.

(B) A description of the objectives, goals, and timing of the Department with respect to increasing the representation of such counselors and therapists in the behavioral health workforce of the Department, including—

(i) a review of qualification criteria for such counselors and therapists and a comparison of such criteria to that of other behavioral health professions in the Department; and

(ii) an assessment of the participation of such counselors and therapists in the mental health professionals trainee program of the Department and any impediments to such participation.

(C) An assessment of the development by the Department of hiring guidelines for mental health counselors, marriage and family therapists, and other appropriate counselors.

(D) A description of how the Department—

(i) identifies gaps in the supply of mental health professionals; and

(ii) determines successful staffing ratios for mental health professionals of the Department.

(E) A description of actions taken by the Secretary, in consultation with the Director of the Office of Personnel Management, to create an occupational series for mental health counselors and marriage and family therapists of the Department and a timeline for the creation of such an occupational series.

(F) A description of actions taken by the Secretary to ensure that the national, regional, and local professional standards boards for mental health counselors and marriage and family therapists are comprised of only mental health counselors and marriage and family therapists and that the liaison from the Department to such boards is a mental health counselor or marriage and family therapist.

(c) COMPILATION OF DATA.—The Secretary of Veterans Affairs shall ensure that data under subsections (a) and (b) is compiled separately and disaggregated by year and compiled in a manner that allows it to be analyzed across all data fields for purposes of informing and updating clinical practice guidelines of the Department of Veterans Affairs.

(d) BRIEFINGS.—The Secretary of Veterans Affairs shall brief the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives containing the interim results—

(1) with respect to the study under subsection (a)(1), not later than 24 months after entering into the agreement under such subsection; and

(2) with respect to the review under subsection (b)(1), not later than 18 months after the date of the enactment of this Act.

(e) REPORTS.—

(1) REPORT ON STUDY.—Not later than 90 days after the completion by the Secretary of Veterans Affairs in coordination with the National Academies of Sciences, Engineering, and Medicine of the study required under subsection (a)(1), the Secretary shall—

(A) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study; and

(B) make such report publicly available.

(2) REPORT ON REVIEW.—Not later than 90 days after the completion by the Comptroller General of the United States of the review required under subsection (b)(1), the Comptroller General shall—

(A) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the review; and

(B) make such report publicly available.

SEC. 205. COMPTROLLER GENERAL REPORT ON MANAGEMENT BY DEPARTMENT OF VETERANS AFFAIRS OF VETERANS AT HIGH RISK FOR SUICIDE.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the efforts of the Department of Veterans Affairs to manage veterans at high risk for suicide.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of how the Department identifies patients as high risk for suicide, with particular consideration to the efficacy of inputs into the Recovery Engagement and Coordination for Health – Veterans Enhanced Treatment program (commonly referred to as the ''REACH VET'' program) of the Department, including an assessment of the efficacy of such identifications disaggregated by—

(A) all demographic characteristics as determined necessary and appropriate by the Secretary of Veterans Affairs in coordination with the Centers for Disease Control and Prevention;

(B) Veterans Integrated Service Network; and

(C) to the extent practicable, medical center of the Department.

(2) A description of how the Department intervenes when a patient is identified as high risk, including an assessment of the efficacy of such interventions disaggregated by—

(A) all demographic characteristics as determined necessary and appropriate by the Secretary in coordination with the Centers for Disease Control and Prevention;

(B) Veterans Integrated Service Network; and

(C) to the extent practicable, medical center of the Department.

(3) A description of how the Department monitors patients who have been identified as high risk, including an assessment of the efficacy of such monitoring and any follow-ups disaggregated by—

(A) all demographic characteristics as determined necessary and appropriate by the Secretary in coordination with the Centers for Disease Control and Prevention;

(B) Veterans Integrated Service Network; and

(C) to the extent practicable, medical center of the Department.

(4) A review of staffing levels of suicide prevention coordinators across the Veterans Health Administration.

(5) A review of the resources and programming offered to family members and friends of veterans who have a mental health condition in order to assist that veteran in treatment and recovery.

(6) An assessment of such other areas as the Comptroller General considers appropriate to study.

TITLE III—PROGRAMS, STUDIES, AND GUIDELINES ON MENTAL HEALTH

SEC. 301. STUDY ON CONNECTION BETWEEN LIVING AT HIGH ALTITUDE AND SUICIDE RISK FACTORS AMONG VETERANS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with Rural Health Resource Centers of the Office of Rural Health of the Department of Veterans Affairs, shall commence the conduct of a study on the connection between living at high altitude and the risk of developing depression or dying by suicide among veterans.

(b) COMPLETION OF STUDY.—The study conducted under subsection (a) shall be completed not later than three years after the date of the commencement of the study.

(c) INDIVIDUAL IMPACT.—The study conducted under subsection (a) shall be conducted so as to determine the effect of high altitude on suicide risk at the individual level, not at the State or county level.

(d) REPORT.—Not later than 150 days after the completion of the study conducted under subsection (a), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study.

(e) FOLLOW-UP STUDY.—

(1) IN GENERAL.—If the Secretary determines through the study conducted under subsection (a) that living at high altitude is a risk factor for developing depression or dying by suicide, the Secretary shall conduct an additional study to identify the following:

(A) The most likely biological mechanism that makes living at high altitude a risk factor for developing depression or dying by suicide.

(B) The most effective treatment or intervention for reducing the risk of developing depression or dying by suicide associated with living at high altitude.

(2) REPORT.—Not later than 150 days after completing the study conducted under paragraph (1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study.

SEC. 302. ESTABLISHMENT BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE OF A CLINICAL PROVIDER TREATMENT TOOLKIT AND ACCOMPANYING TRAINING MATERIALS FOR COMORBIDITIES.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall develop a clinical provider treatment toolkit and accompanying training materials for the evidence-based management of comorbid mental health conditions, comorbid mental health and substance use disorders, and a comorbid mental health condition and chronic pain.

(b) MATTERS INCLUDED.—In developing the clinical provider treatment toolkit and accompanying training materials under subsection (a), the Secretary of Veterans Affairs and the Secretary of Defense shall ensure that the toolkit and training materials include guidance with respect to the following:

(1) The treatment of patients with post-traumatic stress disorder who are also experiencing an additional mental health condition, a substance use disorder, or chronic pain.

(2) The treatment of patients experiencing a mental health condition, including anxiety, depression, or bipolar disorder, who are also experiencing a substance use disorder or chronic pain.

(3) The treatment of patients with traumatic brain injury who are also experiencing—

(A) a mental health condition, including post-traumatic stress disorder, anxiety, depression, or bipolar disorder;

(B) a substance use disorder; or

(C) chronic pain.

SEC. 303. UPDATE OF CLINICAL PRACTICE GUIDELINES FOR ASSESSMENT AND MANAGEMENT OF PATIENTS AT RISK FOR SUICIDE.

(a) IN GENERAL.—In the first publication of the Department of Veterans Affairs and Department of Defense Clinical Practice Guideline for Assessment and Management of Patients at Risk for Suicide published after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense, through the Assessment and Management of Patients at Risk for Suicide Work Group (in this section referred to as the ''Work Group''), shall ensure the publication includes the following:

(1) Enhanced guidance with respect to gender-specific—

(A) risk factors for suicide and suicidal ideation;

(B) treatment efficacy for depression and suicide prevention;

(C) pharmacotherapy efficacy; and

(D) psychotherapy efficacy.

(2) Guidance with respect to the efficacy of alternative therapies, other than psychotherapy and pharmacotherapy, including the following:

(A) Yoga therapy.

(B) Meditation therapy.

(C) Equine therapy.

(D) Other animal therapy.

(E) Training and caring for service dogs.

(F) Agritherapy.

(G) Art therapy.

(H) Outdoor sports therapy.

(I) Music therapy.

(J) Any other alternative therapy that the Work Group considers appropriate.

(3) Guidance with respect to the findings of the Creating Options for Veterans' Expedited Recovery Commission (commonly referred to as the ''COVER Commission'') established under section 931 of the Jason Simcakoski Memorial and Promise Act (title IX of Public Law 114–198; 38 U.S.C. 1701 note).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent the Secretary of Veterans Affairs and the Secretary of Defense from considering all relevant evidence, as appropriate, in updating the Department of Veterans Affairs and Department of Defense Clinical Practice Guideline for Assessment and Management of Patients at Risk for Suicide, as required under subsection (a), or from ensuring that the final clinical practice guidelines updated under such subsection remain applicable to the patient populations of the Department of Veterans Affairs and the Department of Defense.

SEC. 304. ESTABLISHMENT BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE OF CLINICAL PRACTICE GUIDELINES FOR THE TREATMENT OF SERIOUS MENTAL ILLNESS.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, shall complete the development of a clinical practice guideline or guidelines for the treatment of serious mental illness, to include the following conditions:

(1) Schizophrenia.

(2) Schizoaffective disorder.

(3) Persistent mood disorder, including bipolar disorder I and II.

(4) Any other mental, behavioral, or emotional disorder resulting in serious functional impairment that substantially interferes with major life activities as the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, considers appropriate.

(b) MATTERS INCLUDED IN GUIDELINES.—The clinical practice guideline or guidelines developed under subsection (a) shall include the following:

(1) Guidance contained in the 2016 Clinical Practice Guidelines for the Management of Major Depressive Disorders of the Department of Veterans Affairs and the Department of Defense.

(2) Guidance with respect to the treatment of patients with a condition described in subsection (a).

(3) A list of evidence-based therapies for the treatment of conditions described in subsection (a).

(4) An appropriate guideline for the administration of pharmacological therapy, psychological or behavioral therapy, or other therapy for the management of conditions described in subsection (a).

(c) ASSESSMENT OF EXISTING GUIDELINES.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, shall complete an assessment of the 2016 Clinical Practice Guidelines for the Management of Major Depressive Disorders to determine whether an update to such guidelines is necessary.

(d) WORK GROUP.—

(1) ESTABLISHMENT.—The Secretary of Veterans Affairs, the Secretary of Defense, and the Secretary of Health and Human Services shall create a work group to develop the clinical practice guideline or guidelines under subsection (a) to be known as the ''Serious Mental Illness Work Group'' (in this subsection referred to as the ''Work Group'').

(2) MEMBERSHIP.—The Work Group created under paragraph (1) shall be comprised of individuals that represent Federal Government entities and non-Federal Government entities with expertise in the areas covered by the Work Group, including the following entities:

(A) Academic institutions that specialize in research for the treatment of conditions described in subsection (a).

(B) The Health Services Research and Development Service of the Department of Veterans Affairs.

(C) The Office of the Assistant Secretary for Mental Health and Substance Use of the Department of Health and Human Services.

(D) The National Institute of Mental Health.

(E) The Indian Health Service.

(F) Relevant organizations with expertise in researching, diagnosing, or treating conditions described in subsection (a).

(3) RELATION TO OTHER WORK GROUPS.—The Work Group shall be created and conducted in the same manner as other work groups for the development of clinical practice guidelines for the Department of Veterans Affairs and the Department of Defense.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent the Secretary of Veterans Affairs and the Secretary of Defense from considering all relevant evidence, as appropriate, in creating the clinical practice guideline or guidelines required under subsection (a) or from ensuring that the final clinical practice guideline or guidelines developed under such subsection and subsequently updated, as appropriate, remain applicable to the patient populations of the Department of Veterans Affairs and the Department of Defense.

SEC. 305. PRECISION MEDICINE INITIATIVE OF DEPARTMENT OF VETERANS AFFAIRS TO IDENTIFY AND VALIDATE BRAIN AND MENTAL HEALTH BIOMARKERS.

(a) IN GENERAL.—Beginning not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement an initiative of the Department of Veterans Affairs to identify and validate brain and mental health biomarkers among veterans, with specific consideration for depression, anxiety, post-traumatic stress disorder, bipolar disorder, traumatic brain injury, and such other mental health conditions as the Secretary considers appropriate. Such initiative may be referred to as the ''Precision Medicine for Veterans Initiative''.

(b) MODEL OF INITIATIVE.—The initiative under subsection (a) shall be modeled on the All of Us Precision Medicine Initiative administered by the National Institutes of Health with respect to large-scale collection of standardized data and open data sharing.

(c) METHODS.—The initiative under subsection (a) shall include brain structure and function measurements, such as functional magnetic resonance imaging and electroencephalogram, and shall coordinate with additional biological methods of analysis utilized in the Million Veterans Program of the Department of Veterans Affairs.

(d) USE OF DATA.—

(1) PRIVACY AND SECURITY.—In carrying out the initiative under subsection (a), the Secretary shall develop robust data privacy and security measures, consistent with section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), and regulations promulgated pursuant to the Health Insurance Portability and Accountability Act of 1996 (parts 160, 162, and 164 of

title 45, Code of Federal Regulations, or successor regulations) to ensure that information of veterans participating in the initiative is kept private and secure.

(2) CONSULTATION WITH THE NATIONAL INSTITUTES OF SCIENCE AND TECHNOLOGY.—The Secretary may consult with the National Institute of Science and Technology in developing the data privacy and security measures described in paragraph (1).

(3) ACCESS STANDARDS.—The Secretary shall provide access to information under the initiative consistent with the standards described in section 552a(d)(1) of title 5, United States Code, and section 164.524 of title 45, Code of Federal Regulations, or successor regulations.

(4) OPEN PLATFORM.—

(A) AVAILABILITY OF DATA.—The Secretary shall make de-identified data collected under the initiative available for research purposes to Federal agencies.

(B) CONTRACT.—The Secretary shall contract with nongovernment entities that comply with requisite data security measures to make available for research purposes de-identified data collected under the initiative.

(C) ASSISTANCE.—The Secretary shall provide assistance to a Federal agency conducting research using data collected under the initiative at the request of that agency.

(D) PROHIBITION ON TRANSFER OF DATA.—Federal agencies may not disclose, transmit, share, sell, license, or otherwise transfer data collected under the initiative to any nongovernment entity other than as allowed under subparagraph (B).

(5) STANDARDIZATION.—

(A) IN GENERAL.—The Secretary shall ensure that data collected under the initiative is standardized.

(B) CONSULTATION.—The Secretary shall consult with the National Institutes of Health and the Food and Drug Administration to determine the most effective, efficient, and cost-effective way of standardizing data collected under the initiative.

(C) MANNER OF STANDARDIZATION.—In consultation with the National Institute for Science and Technology, data collected under the initiative shall be standardized in the manner in which it is collected, entered into the database, extracted, and recorded.

(6) MEASURES OF BRAIN FUNCTION OR STRUCTURE.—Any measures of brain function or structure collected under the initiative shall be collected with a device that is approved by the Food and Drug Administration.

(7) DE-IDENTIFIED DATA DEFINED.—In this subsection, the term ''de-identified data'' means, with respect to data held by the Department of Veterans Affairs, that the Department—

(A) alters, anonymizes, or aggregates the data so that there is a reasonable basis for expecting that the data could not be linked as a practical matter to a specific individual;

(B) publicly commits to refrain from attempting to re-identify the data with a specific individual, and adopts controls to prevent such identification; and

(C) causes the data to be covered by a contractual or other legally enforceable prohibition on each entity to which the Department discloses the data from attempting to use the data to identify a specific individual and requires the same of all onward disclosures.

(e) INCLUSION OF INITIATIVE IN PROGRAM.—The Secretary shall coordinate efforts of the initiative under subsection (a) with the Million Veterans Program of the Department.

SEC. 306. STATISTICAL ANALYSES AND DATA EVALUATION BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 119. Contracting for statistical analyses and data evaluation

''(a) IN GENERAL.—The Secretary may enter into a contract or other agreement with an academic institution or other qualified entity, as determined by the Secretary, to carry out statistical analyses and data evaluation as required of the Secretary by law.''.

''(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to enter into contracts or other agreements for statistical analyses and data evaluation under any other provision of law.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by adding at the end the following new item:

''119. Contracting for statistical analyses and data evaluation.''.

TITLE IV—OVERSIGHT OF MENTAL HEALTH CARE AND RELATED SERVICES

SEC. 401. STUDY ON EFFECTIVENESS OF SUICIDE PREVENTION AND MENTAL HEALTH OUTREACH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with a non-Federal Government entity with expertise in conducting and evaluating research-based studies to conduct a study on the effectiveness of the suicide prevention and mental health outreach materials prepared by the Department of Veterans Affairs and the suicide prevention and mental health outreach campaigns conducted by the Department.

(b) USE OF FOCUS GROUPS.—

(1) IN GENERAL.—The Secretary shall convene not fewer than eight different focus groups to evaluate the effectiveness of the suicide prevention and mental health materials and campaigns as required under subsection (a).

(2) LOCATION OF FOCUS GROUPS.—Focus groups convened under paragraph (1) shall be held in geographically diverse areas as follows:

(A) Not fewer than two in rural or highly rural areas.

(B) Not fewer than one in each of the four districts of the Veterans Benefits Administration.

(3) TIMING OF FOCUS GROUPS.—Focus groups convened under paragraph (1) shall be held at a variety of dates and times to ensure an adequate representation of veterans with different work schedules.

(4) NUMBER OF PARTICIPANTS.—Each focus group convened under paragraph (1) shall include not fewer than five and not more than 12 participants.

(5) REPRESENTATION.—Each focus group convened under paragraph (1) shall, to the extent practicable, include veterans of diverse backgrounds, including—

(A) veterans of all eras, as determined by the Secretary;

(B) women veterans;

(C) minority veterans;

(D) Native American veterans, as defined in section 3765 of title 38, United States Code;

(E) veterans who identify as lesbian, gay, bisexual, transgender, or queer (commonly referred to as ''LGBTQ'');

(F) veterans who live in rural or highly rural areas;

(G) individuals transitioning from active duty in the Armed Forces to civilian life; and

(H) other high-risk groups of veterans, as determined by the Secretary.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the last focus group meeting under subsection (b), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the findings of the focus groups.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) Based on the findings of the focus groups, an assessment of the effectiveness of current suicide prevention and mental health materials and campaigns of the Department in reaching veterans as a whole as well as specific groups of veterans (for example, women veterans).

(B) Based on the findings of the focus groups, recommendations for future suicide prevention and mental health materials and campaigns of the Department to target specific groups of veterans.

(C) A plan to change the current suicide prevention and mental health materials and campaigns of the Department or, if the Secretary decides not to change the current materials and campaigns, an explanation of the reason for maintaining the current materials and campaigns.

(D) A description of any dissenting or opposing viewpoints raised by participants in the focus group.

(E) Such other issues as the Secretary considers necessary.

(d) REPRESENTATIVE SURVEY.—

(1) IN GENERAL.—Not later than one year after the last focus group meeting under subsection (b), the Secretary shall complete a representative survey of the veteran population that is informed by the focus group data in order to collect information about the effectiveness of the mental health and suicide prevention materials and campaigns conducted by the Department.

(2) VETERANS SURVEYED.—

(A) IN GENERAL.—Veterans surveyed under paragraph (1) shall include veterans described in subsection (b)(5).

(B) DISAGGREGATION OF DATA.—Data of veterans surveyed under paragraph (1) shall be disaggregated by—

(i) veterans who have received care from the Department during the two-year period preceding the survey; and

(ii) veterans who have not received care from the Department during the two-year period preceding the survey.

(e) TREATMENT OF CONTRACTS FOR SUICIDE PREVENTION AND MENTAL HEALTH OUTREACH MEDIA.—

(1) FOCUS GROUPS.—

(A) IN GENERAL.—The Secretary shall include in each contract to develop media relating to suicide prevention and mental health materials and campaigns a requirement that the contractor convene focus groups of veterans to assess the effectiveness of suicide prevention and mental health outreach.

(B) REPRESENTATION.—Each focus group required under subparagraph (A) shall, to the extent practicable, include veterans of diverse backgrounds, including—

(i) veterans of all eras, as determined by the Secretary;

(ii) women veterans;

(iii) minority veterans;

(iv) Native American veterans, as defined in section 3765 of title 38, United States Code;

(v) veterans who identify as lesbian, gay, bisexual, transgender, or queer (commonly referred to as ''LGBTQ'');

(vi) veterans who live in rural or highly rural areas;

(vii) individuals transitioning from active duty in the Armed Forces to civilian life; and

(viii) other high-risk groups of veterans, as determined by the Secretary.

(2) SUBCONTRACTING.—

(A) IN GENERAL.—The Secretary shall include in each contract described in paragraph (1)(A) a requirement that, if the contractor subcontracts for the development of media, the contractor shall subcontract with a subcontractor that has experience creating impactful media campaigns that target individuals age 18 to 34.

(B) BUDGET LIMITATION.—Not more than two percent of the budget of the Office of Mental Health and Suicide Prevention of the Department for contractors for suicide prevention and mental health media outreach shall go to subcontractors described in subparagraph (A).

(f) PAPERWORK REDUCTION ACT EXEMPTION.—Chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'') shall not apply to any rulemaking or information collection required under this section.

(g) RURAL AND HIGHLY RURAL DEFINED.—In this section, with respect to an area, the terms ''rural'' and ''highly rural'' have the meanings given those terms in the Rural-Urban Commuting Areas coding system of the Department of Agriculture.

SEC. 402. OVERSIGHT OF MENTAL HEALTH AND SUICIDE PREVENTION MEDIA OUTREACH CONDUCTED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) ESTABLISHMENT OF GOALS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish goals for the mental health and suicide prevention media outreach campaigns of the Department of Veterans Affairs, which shall include the establishment of targets, metrics, and action plans to describe and assess those campaigns.

(2) USE OF METRICS.—

(A) IN GENERAL.—The goals established under paragraph (1) shall be measured by metrics specific to different media types.

(B) FACTORS TO CONSIDER.—In using metrics under subparagraph (A), the Secretary shall determine the best methodological approach for each media type and shall consider the following:

(i) Metrics relating to social media, which may include the following:

(I) Impressions.

(II) Reach.

(III) Engagement rate.

(IV) Such other metrics as the Secretary considers necessary.

(ii) Metrics relating to television, which may include the following:

(I) Nielsen ratings.

(II) Such other metrics as the Secretary considers necessary.

(iii) Metrics relating to email, which may include the following:

(I) Open rate.

(II) Response rate.

(III) Click rate.

(IV) Such other metrics as the Secretary considers necessary.

(C) UPDATE.—The Secretary shall periodically update the metrics under subparagraph (B) as more accurate metrics become available.

(3) TARGETS.—The Secretary shall establish targets to track the metrics used under paragraph (2).

(4) CONSULTATION.—In establishing goals under paragraph (1), the Secretary shall consult with the following:

(A) Relevant stakeholders, such as organizations that represent veterans, as determined by the Secretary.

(B) Mental health and suicide prevention experts.

(C) Such other persons as the Secretary considers appropriate.

(5) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing the goals established under paragraph (1) for the mental health and suicide prevention media outreach campaigns of the Department, including the metrics and targets for such metrics by which those goals are to be measured under paragraphs (2) and (3).

(6) ANNUAL REPORT.—Not later than one year after the submittal of the report under paragraph (5), and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing—

(A) the progress of the Department in meeting the goals established under paragraph (1) and the targets established under paragraph (3); and

(B) a description of action to be taken by the Department to modify mental health and suicide prevention media outreach campaigns if those goals and targets are not being met.

(b) REPORT ON USE OF FUNDS BY OFFICE OF MENTAL HEALTH AND SUICIDE PREVENTION.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter, the Secretary shall submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives a report containing the expenditures and obligations of the Office of Mental Health and Suicide Prevention of the Veterans Health Administration during the period covered by the report.

SEC. 403. COMPTROLLER GENERAL MANAGEMENT REVIEW OF MENTAL HEALTH AND SUICIDE PREVENTION SERVICES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a management review of the mental health and suicide prevention services provided by the Department of Veterans Affairs.

(b) ELEMENTS.—The management review required by subsection (a) shall include the following:

(1) An assessment of the infrastructure under the control of or available to the Office of Mental Health and Suicide Prevention of the Department of Veterans Affairs or available to the Department of Veterans Affairs for suicide prevention efforts not operated by the Office of Mental Health and Suicide Prevention.

(2) A description of the management and organizational structure of the Office of Mental Health and Suicide Prevention, including roles and responsibilities for each position.

(3) A description of the operational policies and processes of the Office of Mental Health and Suicide Prevention.

(4) An assessment of suicide prevention practices and initiatives available from the Department and through community partnerships.

(5) An assessment of the staffing levels at the Office of Mental Health and Suicide Prevention, disaggregated by type of position, and including the location of any staffing deficiencies.

(6) An assessment of the Nurse Advice Line pilot program conducted by the Department.

(7) An assessment of recruitment initiatives in rural areas for mental health professionals of the Department.

(8) An assessment of strategic planning conducted by the Office of Mental Health and Suicide Prevention.

(9) An assessment of the communication, and the effectiveness of such communication—

(A) within the central office of the Office of Mental Health and Suicide Prevention;

(B) between that central office and any staff member or office in the field, including chaplains, attorneys, law enforcement personnel, and volunteers; and

(C) between that central office, local facilities of the Department, and community partners of the Department, including first responders, community support groups, and health care industry partners.

(10) An assessment of how effectively the Office of Mental Health and Suicide Prevention implements operational policies and procedures.

(11) An assessment of how the Department of Veterans Affairs and the Department of Defense coordinate suicide prevention efforts, and recommendations on how the Department of Veterans Affairs and Department of Defense can more effectively coordinate those efforts.

(12) An assessment of such other areas as the Comptroller General considers appropriate to study.

SEC. 404. COMPTROLLER GENERAL REPORT ON EFFORTS OF DEPARTMENT OF VETERANS AFFAIRS TO INTEGRATE MENTAL HEALTH CARE INTO PRIMARY CARE CLINICS.

(a) INITIAL REPORT.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the efforts of the Department of Veterans Affairs to integrate mental health care into primary care clinics of the Department.

(2) ELEMENTS.—The report required by subsection (a) shall include the following:

(A) An assessment of the efforts of the Department to integrate mental health care into primary care clinics of the Department.

(B) An assessment of the effectiveness of such efforts.

(C) An assessment of how the health care of veterans is impacted by such integration.

(D) A description of how care is coordinated by the Department between specialty mental health care and primary care, including a description of the following:

(i) How documents and patient information are transferred and the effectiveness of those transfers.

(ii) How care is coordinated when veterans must travel to different facilities of the Department.

(iii) How a veteran is reintegrated into primary care after receiving in-patient mental health care.

(E) An assessment of how the integration of mental health care into primary care clinics is implemented at different types of facilities of the Department.

(F) Such recommendations on how the Department can better integrate mental health care into primary care clinics as the Comptroller General considers appropriate.

(G) An assessment of such other areas as the Comptroller General considers appropriate to study.

(b) COMMUNITY CARE INTEGRATION REPORT.—

(1) IN GENERAL.—Not later than two years after the date on which the Comptroller General submits the report required under subsection (a)(1), the Comptroller General shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on

Veterans' Affairs of the House of Representatives a report on the efforts of the Department to integrate community-based mental health care into the Veterans Health Administration.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the efforts of the Department to integrate community-based mental health care into the Veterans Health Administration.

(B) An assessment of the effectiveness of such efforts.

(C) An assessment of how the health care of veterans is impacted by such integration.

(D) A description of how care is coordinated between providers of community-based mental health care and the Veterans Health Administration, including a description of how documents and patient information are transferred and the effectiveness of those transfers between—

(i) the Veterans Health Administration and providers of community-based mental health care; and

(ii) providers of community-based mental health care and the Veterans Health Administration.

(E) An assessment of any disparities in the coordination of community-based mental health care into the Veterans Health Administration by location and type of facility.

(F) An assessment of the military cultural competency of health care providers providing community-based mental health care to veterans.

(G) Such recommendations on how the Department can better integrate community-based mental health care into the Veterans Health Administration as the Comptroller General considers appropriate.

(H) An assessment of such other areas as the Comptroller General considers appropriate to study.

(3) COMMUNITY-BASED MENTAL HEALTH CARE DEFINED.—In this subsection, the term ''community-based mental health care'' means mental health care paid for by the Department but provided by a non-Department health care provider at a non-Department facility, including care furnished under section 1703 of title 38, United States Code (as in effect on the date specified in section 101(b) of the Caring for Our Veterans Act of 2018 (title I of Public Law 115–182)).

SEC. 405. JOINT MENTAL HEALTH PROGRAMS BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.

(a) REPORT ON MENTAL HEALTH PROGRAMS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs and the Secretary of Defense shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives a report on mental health programs of the Department of Veterans Affairs and the Department of Defense and joint programs of the Departments.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of mental health programs operated by the Department of Veterans Affairs, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives, including centers of excellence of the Department of Veterans Affairs for traumatic brain injury and post-traumatic stress disorder.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Research into mental health issues and conditions, to include post-traumatic stress disorder, depression, anxiety, bipolar disorder, traumatic brain injury, suicidal ideation, and any other issues or conditions as the Secretary of Veterans Affairs considers necessary.

(B) A description of mental health programs operated by the Department of Defense, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives, including the National Intrepid Center of Excellence and the Intrepid Spirit Centers.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Research into mental health issues and conditions, to include post-traumatic stress disorder, depression, anxiety, bipolar disorder, traumatic brain injury, suicidal ideation, and any other issues or conditions as the Secretary of Defense considers necessary.

(C) A description of mental health programs jointly operated by the Department of Veterans Affairs and the Department of Defense, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Research into mental health issues and conditions, to include post-traumatic stress disorder, depression, anxiety, bipolar disorder, traumatic brain injury, suicidal ideation, and completed suicides, including through the use of the joint suicide data repository of the Department of Veterans Affairs and the Department of Defense, and any other issues or conditions as the Secretary of Veterans Affairs and the Secretary of Defense consider necessary.

(D) Recommendations for coordinating mental health programs of the Department of Veterans Affairs and the Department of Defense to improve the effectiveness of those programs.

(E) Recommendations for novel joint programming of the Department of Veterans Affairs and the Department of Defense to improve the mental health of members of the Armed Forces and veterans.

(b) EVALUATION OF COLLABORATIVE EFFORTS OF DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE AND ALTERNATIVES OF ANALYSIS TO ESTABLISH A JOINT VA/DOD INTREPID SPIRIT CENTER.—

(1) IN GENERAL.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense, shall evaluate the current ongoing collaborative efforts of the Department of Veterans Affairs and the Department of Defense related to post-traumatic stress disorder and traumatic brain injury care, research, and education to improve the quality of and access to such care and seek potential new collaborative efforts to improve and expand such care for veterans and members of the Armed Forces in a joint Department of Veterans Affairs/Department of Defense Intrepid Spirit Center that serves active duty members of the Armed Forces, members of the reserve components of the Armed Forces, and veterans for mutual benefit and growth in treatment and care.

(2) ALTERNATIVES OF ANALYSIS.—

(A) IN GENERAL.—The evaluation required under paragraph (1) shall include an alternatives of analysis to establish the joint Department of Veterans Affairs/Department of Defense Intrepid Spirit Center described in paragraph (1).

(B) ELEMENTS.—The alternatives of analysis required under subparagraph (A) with respect to the establishment of the joint Department of Veterans Affairs/Department of Defense Intrepid Spirit Center described in paragraph (1) shall provide alternatives and recommendations that consider information including—

(i) colocation of the center on an installation of the Department of Defense or property of a medical center of the Department of Veterans Affairs;

(ii) consideration of a rural or highly rural area to establish the center that may include colocation described in clause (i);

(iii) geographic distance from existing or planned Intrepid Spirit Centers of the Department of Defense or other such facilities of the Department of Veterans Affairs or the Department of Defense that furnish care for post-traumatic stress disorder or traumatic brain injury; and

(iv) the potential role for private entities and philanthropic organizations in carrying out the activities of the center.

(3) REPORT TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that includes—

(A) a summary of the evaluation required under paragraph (1); and

(B) the alternatives of analysis required under paragraph (2).

(4) RURAL AND HIGHLY RURAL DEFINED.—In this subsection, with respect to an area, the terms ''rural'' and ''highly rural'' have the meanings given those terms in the Rural-Urban Commuting Areas coding system of the Department of Agriculture.

TITLE V—IMPROVEMENT OF MENTAL HEALTH MEDICAL WORKFORCE

SEC. 501. STAFFING IMPROVEMENT PLAN FOR MENTAL HEALTH PROVIDERS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) STAFFING PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Inspector General of the Department of Veterans Affairs, shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan to address staffing of mental health providers of the Department of Veterans Affairs, including filling any open positions.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) An estimate of the number of positions for mental health providers of the Department that need to be filled to meet demand.

(B) An identification of the steps that the Secretary will take to address mental health staffing for the Department.

(C) A description of any region-specific hiring incentives to be used by the Secretary in consultation with the directors of Veterans Integrated Service Networks and medical centers of the Department.

(D) A description of any local retention or engagement incentives to be used by directors of Veterans Integrated Service Networks.

(E) Such recommendations for legislative or administrative action as the Secretary considers necessary to aid in addressing mental health staffing for the Department.

(3) REPORT.—Not later than one year after the submittal of the plan required by paragraph (1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs

of the House of Representatives a report setting forth the number of mental health providers hired by the Department during the one-year period preceding the submittal of the report.

(b) OCCUPATIONAL SERIES FOR CERTAIN MENTAL HEALTH PROVIDERS.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Office of Personnel Management, shall develop an occupational series for licensed professional mental health counselors and marriage and family therapists of the Department of Veterans Affairs.

SEC. 502. ESTABLISHMENT OF DEPARTMENT OF VETERANS AFFAIRS READJUSTMENT COUNSELING SERVICE SCHOLARSHIP PROGRAM.

(a) IN GENERAL.—Chapter 76 of title 38, United States Code, is amended by inserting after subchapter VIII the following new subchapter:

''SUBCHAPTER IX—READJUSTMENT COUNSELING SERVICE SCHOLARSHIP PROGRAM

''§ 7698. Requirement for program

''As part of the Educational Assistance Program, the Secretary shall carry out a scholarship program under this subchapter. The program shall be known as the Department of Veterans Affairs Readjustment Counseling Service Scholarship Program (in this subchapter referred to as the 'Program').

''§ 7699. Eligibility; agreement

''(a) IN GENERAL.—An individual is eligible to participate in the Program, as determined by the Readjustment Counseling Service of the Department, if the individual—

''(1) is accepted for enrollment or enrolled (as described in section 7602 of this title) in a program of study at an accredited educational institution, school, or training program leading to a terminal degree in psychology, social work, marriage and family therapy, or mental health counseling that would meet the education requirements for appointment to a position under section 7402(b) of this title; and

''(2) enters into an agreement with the Secretary under subsection (c).

''(b) PRIORITY.—In selecting individuals to participate in the Program, the Secretary shall give priority to the following individuals:

''(1) An individual who agrees to be employed by a Vet Center located in a community that is—

''(A) designated as a medically underserved population under section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)); and

''(B) in a State with a per capita population of veterans of more than five percent according to the National Center for Veterans Analysis and Statistics and the Bureau of the Census.

''(2) An individual who is a veteran.

''(c) AGREEMENT.—An agreement between the Secretary and a participant in the Program shall (in addition to the requirements set forth in section 7604 of this title) include the following:

''(1) An agreement by the Secretary to provide the participant with a scholarship under the Program for a specified number of school years during which the participant pursues a program of study described in subsection (a)(1) that meets the requirements set forth in section 7602(a) of this title.

''(2) An agreement by the participant to serve as a full-time employee of the Department at a Vet Center for a six-year period following the completion by the participant of such program of study (in this subchapter referred to as the 'period of obligated service').

''(d) VET CENTER DEFINED.—In this section, the term 'Vet Center' has the meaning given that term in section 1712A(h) of this title.

''§ 7699A. Obligated service

''(a) IN GENERAL.—Each participant in the Program shall provide service as a full-time employee of the Department at a Vet Center (as defined in section 7699(d) of this title) for the period of obligated service set forth in the agreement of the participant entered into under section 7604 of this title.

''(b) DETERMINATION OF SERVICE COMMENCEMENT DATE.—(1) Not later than 60 days before the service commencement date of a participant, the Secretary shall notify the participant of that service commencement date.

''(2) The date specified in paragraph (1) with respect to a participant is the date for the beginning of the period of obligated service of the participant.

''§ 7699B. Breach of agreement: liability

''(a) LIQUIDATED DAMAGES.—(1) A participant in the Program (other than a participant described in subsection (b)) who fails to accept payment, or instructs the educational institution in which the participant is enrolled not to accept payment, in whole or in part, of a scholarship under the agreement entered into under section 7604 of this title shall be liable to the United States for liquidated damages in the amount of $1,500.

''(2) Liability under paragraph (1) is in addition to any period of obligated service or other obligation or liability under such agreement.

''(b) LIABILITY DURING PROGRAM OF STUDY.—(1) Except as provided in subsection (d), a participant in the Program shall be liable to the United States for the amount which has been paid to or on behalf of the participant under the agreement if any of the following occurs:

''(A) The participant fails to maintain an acceptable level of academic standing in the educational institution in which the participant is enrolled (as determined by the educational institution under regulations prescribed by the Secretary).

''(B) The participant is dismissed from such educational institution for disciplinary reasons.

''(C) The participant voluntarily terminates the program of study in such educational institution before the completion of such program of study.

''(2) Liability under this subsection is in lieu of any service obligation arising under the agreement.

''(c) LIABILITY DURING PERIOD OF OBLIGATED SERVICE.—(1) Except as provided in subsection (d), if a participant in the Program does not complete the period of obligated service of the participant, the United States shall be entitled to recover from the participant an amount determined in accordance with the following formula: $A = 3\Phi(t - s/t)$.

''(2) In the formula in paragraph (1):

''(A) 'A' is the amount the United States is entitled to recover.

''(B) 'Φ' is the sum of—

''(i) the amounts paid under this subchapter to or on behalf of the participant; and

''(ii) the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

''(C) 't' is the total number of months in the period of obligated service of the participant.

''(D) 's' is the number of months of such period served by the participant.

''(d) LIMITATION ON LIABILITY FOR REDUCTIONS-IN-FORCE.—Liability shall not arise under subsection (c) if the participant fails to maintain employment as a Department employee due to a staffing adjustment.

''(e) PERIOD FOR PAYMENT OF DAMAGES.—Any amount of damages that the United States is entitled to recover under this section shall be paid to the United States within the one-year period beginning on the date of the breach of the agreement.''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—

(A) ESTABLISHMENT OF PROGRAM.—Section 7601(a) of such title is amended—

(i) in paragraph (5), by striking ''and'';

(ii) in paragraph (6), by striking the period and inserting ''; and''; and

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

''(7) the readjustment counseling service scholarship program provided for in subchapter IX of this chapter.''.

(B) ELIGIBILITY.—Section 7602 of such title is amended—

(i) in subsection (a)(1)—

(I) by striking ''or VI'' and inserting ''VI, or IX''; and

(II) by striking ''subchapter VI'' and inserting ''subchapter VI or IX''; and

(ii) in subsection (b), by striking ''or VI'' and inserting ''VI, or IX''.

(C) APPLICATION.—Section 7603(a)(1) of such title is amended by striking ''or VIII'' and inserting ''VIII, or IX''.

(D) TERMS OF AGREEMENT.—Section 7604 of such title is amended by striking ''or VIII'' each place it appears and inserting ''VIII, or IX''.

(E) ANNUAL REPORT.—Section 7632 of such title is amended—

(i) in paragraph (1), by striking ''and the Specialty Education Loan Repayment Program'' and inserting ''the Specialty Education Loan Repayment Program, and the Readjustment Counseling Service Scholarship Program''; and

(ii) in paragraph (4), by striking ''and per participant in the Specialty Education Loan Repayment Program'' and inserting ''per participant in the Specialty Education Loan Repayment Program, and per participant in the Readjustment Counseling Service Scholarship Program''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 76 of such title is amended by inserting after the items relating to subchapter VIII the following:

''SUBCHAPTER IX—READJUSTMENT COUNSELING SERVICE SCHOLARSHIP PROGRAM

''Sec.
''7698. Requirement for program.
''7699. Eligibility; agreement.
''7699A. Obligated service.
''7699B. Breach of agreement: liability.''.

(c) EFFECTIVE DATE.—The Secretary of Veterans Affairs shall begin awarding scholarships under subchapter IX of chapter 76 of title 38, United States Code, as added by subsection (a), for programs of study beginning not later than one year after the date of the enactment of this Act.

SEC. 503. COMPTROLLER GENERAL REPORT ON READJUSTMENT COUNSELING SERVICE OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the Readjustment Counseling Service of the Department of Veterans Affairs.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the adequacy and types of treatment, counseling, and other

services provided at Vet Centers, including recommendations on whether and how such treatment, counseling, and other services can be expanded.

(2) An assessment of the efficacy of outreach efforts by the Readjustment Counseling Service, including recommendations for how outreach efforts can be improved.

(3) An assessment of barriers to care at Vet Centers, including recommendations for overcoming those barriers.

(4) An assessment of the efficacy and frequency of the use of telehealth by counselors of the Readjustment Counseling Service to provide mental health services, including recommendations for how the use of telehealth can be improved.

(5) An assessment of the feasibility and advisability of expanding eligibility for services from the Readjustment Counseling Service, including—

(A) recommendations on what eligibility criteria could be expanded; and

(B) an assessment of potential costs and increased infrastructure requirements if eligibility is expanded.

(6) An assessment of the use of Vet Centers by members of the reserve components of the Armed Forces who were never activated and recommendations on how to better reach those members.

(7) An assessment of the use of Vet Centers by eligible family members of former members of the Armed Forces and recommendations on how to better reach those family members.

(8) An assessment of the efficacy of group therapy and the level of training of providers at Vet Centers in administering group therapy.

(9) An assessment of the efficiency and effectiveness of the task organization structure of Vet Centers.

(10) An assessment of the use of Vet Centers by Native American veterans, as defined in section 3765 of title 38, United States Code, and recommendations on how to better reach those veterans.

(c) VET CENTER DEFINED.—In this section, the term ''Vet Center'' has the meaning given that term in section 1712A(h) of title 38, United States Code.

SEC. 504. EXPANSION OF REPORTING REQUIREMENTS ON READJUSTMENT COUNSELING SERVICE OF DEPARTMENT OF VETERANS AFFAIRS.

(a) EXPANSION OF ANNUAL REPORT.—Paragraph (2)(C) of section 7309(e) of title 38, United States Code, is amended by inserting before the period at the end the following: '', including the resources required to meet such unmet need, such as additional staff, additional locations, additional infrastructure, infrastructure improvements, and additional mobile Vet Centers''.

(b) BIENNIAL REPORT.—Such section is amended by adding at the end the following new paragraph:

''(3) For each even numbered year in which the report required by paragraph (1) is submitted, the Secretary shall include in such report a prediction of—

''(A) trends in demand for care;

''(B) long-term investments required with respect to the provision of care;

''(C) requirements relating to maintenance of infrastructure; and

''(D) other capital investment requirements with respect to the Readjustment Counseling Service, including Vet Centers, mobile Vet Centers, and community access points.''.

SEC. 505. BRIEFING ON ALTERNATIVE WORK SCHEDULES FOR EMPLOYEES OF VETERANS HEALTH ADMINISTRATION.

(a) SURVEY OF VETERANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a survey on the attitudes of eligible veterans toward the Department of Veterans Affairs offering appointments outside the usual operating hours of facilities of the Department, including through the use of telehealth appointments.

(2) ELIGIBLE VETERAN DEFINED.—In this subsection, the term ''eligible veteran'' means a veteran who—

(A) is enrolled in the patient enrollment system of the Department under section 1705(a) of title 38, United States Code; and

(B) received health care from the Department at least once during the two-year period ending on the date of the commencement of the survey under paragraph (1).

(b) CONGRESSIONAL BRIEFING.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall brief the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives on the—

(A) feasibility and advisability of offering appointments outside the usual operating hours of facilities of the Department that do not offer such appointments; and

(B) effectiveness of offering appointments outside the usual operating hours of facilities of the Department for those facilities that offer such appointments.

(2) ELEMENTS.—The briefing required by paragraph (1) shall include the following:

(A) The findings of the survey conducted under subsection (a);

(B) Feedback from employees of the Veterans Health Administration, including clinical, nonclinical, and support staff, with respect to offering appointments outside the usual operating hours of facilities of the Department, including through the use of telehealth appointments; and

(C) Any other matters the Secretary considers relevant to a full understanding of the feasibility and advisability of offering appointments outside the usual operating hours of facilities of the Department.

(c) PAPERWORK REDUCTION ACT EXEMPTION.—Chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'') shall not apply to any rulemaking or information collection required under this section.

SEC. 506. SUICIDE PREVENTION COORDINATORS.

(a) STAFFING REQUIREMENT.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall ensure that each medical center of the Department of Veterans Affairs has not less than one suicide prevention coordinator.

(b) STUDY ON REORGANIZATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary, in consultation with the Office of Mental Health and Suicide Prevention of the Department, shall commence the conduct of a study to determine the feasibility and advisability of—

(A) the realignment and reorganization of suicide prevention coordinators within the Office of Mental Health and Suicide Prevention; and

(B) the creation of a suicide prevention coordinator program office.

(2) PROGRAM OFFICE REALIGNMENT.—In conducting the study under paragraph (1), the Secretary shall assess the feasibility of advisability of, within the suicide prevention coordinator program office described in paragraph (1)(B), aligning suicide prevention coordinators and suicide prevention case managers within the organizational structure and chart of the Suicide Prevention Program of the Department, with the Director of the Suicide Prevention program having ultimate supervisory oversight and responsibility over the suicide prevention coordinator program office.

(c) REPORT.—Not later than 90 days after the completion of the study under subsection (b), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on such study, including the following:

(1) An assessment of the feasibility and advisability of creating a suicide prevention coordinator program office to oversee and monitor suicide prevention coordinators and suicide prevention case managers across all medical centers of the Department.

(2) A review of current staffing ratios for suicide prevention coordinators and suicide prevention case managers in comparison with current staffing ratios for mental health providers within each medical center of the Department.

(3) A description of the duties and responsibilities for suicide prevention coordinators across the Department to better define, delineate, and standardize qualifications, performance goals, performance duties, and performance outcomes for suicide prevention coordinators and suicide prevention case managers.

SEC. 507. REPORT ON EFFORTS BY DEPARTMENT OF VETERANS AFFAIRS TO IMPLEMENT SAFETY PLANNING IN EMERGENCY DEPARTMENTS.

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

(1) The Department of Veterans Affairs must be more effective in its approach to reducing the burden of veteran suicide connected to mental health diagnoses, to include expansion of treatment delivered via telehealth methods and in rural areas.

(2) An innovative project, known as Suicide Assessment and Follow-up Engagement: Veteran Emergency Treatment (in this subsection referred to as ''SAFE VET''), was designed to help suicidal veterans seen at emergency departments within the Veterans Health Administration and was successfully implemented in five intervention sites beginning in 2010.

(3) A 2018 study found that safety planning intervention under SAFE VET was associated with 45 percent fewer suicidal behaviors in the six-month period following emergency department care and more than double the odds of a veteran engaging in outpatient behavioral health care.

(4) SAFE VET is a promising alternative and acceptable delivery of care system that augments the treatment of suicidal veterans in emergency departments of the Veterans Health Administration and helps ensure that those veterans have appropriate follow-up care.

(5) Beginning in September 2018, the Veterans Health Administration implemented a suicide prevention program, known as the SPED program, for veterans presenting to the emergency department who are assessed to be at risk for suicide and are safe to be discharged home.

(6) The SPED program includes issuance and update of a safety plan and post-discharge follow-up outreach for veterans to facilitate engagement in outpatient mental health care.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the efforts of the Secretary to implement a suicide prevention program for veterans presenting to an emergency department or urgent care center of the Veterans Health Administration who are assessed to be at risk for suicide and are safe

to be discharged home, including a safety plan and post-discharge outreach for veterans to facilitate engagement in outpatient mental health care.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the implementation of the current operational policies and procedures of the SPED program at each medical center of the Department of Veterans Affairs, including an assessment of the following:

(i) Training provided to clinicians or other personnel administering protocols under the SPED program.

(ii) Any disparities in implementation of such protocols between medical centers.

(iii) Current criteria used to measure the quality of such protocols including—

(I) methodology used to assess the quality of a safety plan and post-discharge outreach for veterans; or

(II) in the absence of such methodology, a proposed timeline and guidelines for creating a methodology to ensure compliance with the evidence-based model used under the Suicide Assessment and Follow-up Engagement: Veteran Emergency Treatment (SAFE VET) program of the Department.

(B) An assessment of the implementation of the policies and procedures described in subparagraph (A), including the following:

(i) An assessment of the quality and quantity of safety plans issued to veterans.

(ii) An assessment of the quality and quantity of post-discharge outreach provided to veterans.

(iii) The post-discharge rate of veteran engagement in outpatient mental health care, including attendance at not fewer than one individual mental health clinic appointment or admission to an inpatient or residential unit.

(iv) The number of veterans who decline safety planning efforts during protocols under the SPED program.

(v) The number of veterans who decline to participate in follow-up efforts within the SPED program.

(C) A description of how SPED primary coordinators are deployed to support such efforts, including the following:

(i) A description of the duties and responsibilities of such coordinators.

(ii) The number and location of such coordinators.

(iii) A description of training provided to such coordinators.

(iv) An assessment of the other responsibilities for such coordinators and, if applicable, differences in patient outcomes when such responsibilities are full-time duties as opposed to secondary duties.

(D) An assessment of the feasibility and advisability of expanding the total number and geographic distribution of SPED primary coordinators.

(E) An assessment of the feasibility and advisability of providing services under the SPED program via telehealth channels, including an analysis of opportunities to leverage telehealth to better serve veterans in rural areas.

(F) A description of the status of current capabilities and utilization of tracking mechanisms to monitor compliance, quality, and patient outcomes under the SPED program.

(G) Such recommendations, including specific action items, as the Secretary considers appropriate with respect to how the Department can better implement the SPED program, including recommendations with respect to the following:

(i) A process to standardize training under such program.

(ii) Any resourcing requirements necessary to implement the SPED program throughout Veterans Health Administration, including by having a dedicated clinician responsible for administration of such program at each medical center.

(iii) An analysis of current statutory authority and any changes necessary to fully implement the SPED program throughout the Veterans Health Administration.

(iv) A timeline for the implementation of the SPED program through the Veterans Health Administration once full resourcing and an approved training plan are in place.

(H) Such other matters as the Secretary considers appropriate.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(2) SPED PRIMARY COORDINATOR.—The term ''SPED primary coordinator'' means the main point of contact responsible for administering the SPED program at a medical center of the Department.

(3) SPED PROGRAM.—The term ''SPED program'' means the Safety Planning in Emergency Departments program of the Department of Veterans Affairs established in September 2018 for veterans presenting to the emergency department who are assessed to be at risk for suicide and are safe to be discharged home, which extends the evidence-based intervention for suicide prevention to all emergency departments of the Veterans Health Administration.

TITLE VI—IMPROVEMENT OF CARE AND SERVICES FOR WOMEN VETERANS

SEC. 601. EXPANSION OF CAPABILITIES OF WOMEN VETERANS CALL CENTER TO INCLUDE TEXT MESSAGING.

The Secretary of Veterans Affairs shall expand the capabilities of the Women Veterans Call Center of the Department of Veterans Affairs to include a text messaging capability.

SEC. 602. REQUIREMENT FOR DEPARTMENT OF VETERANS AFFAIRS INTERNET WEBSITE TO PROVIDE INFORMATION ON SERVICES AVAILABLE TO WOMEN VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall survey the internet websites and information resources of the Department of Veterans Affairs in effect on the day before the date of the enactment of this Act and publish an internet website that serves as a centralized source for the provision to women veterans of information about the benefits and services available to them under laws administered by the Secretary.

(b) ELEMENTS.—The internet website published under subsection (a) shall provide to women veterans information regarding all services available in the district in which the veteran is seeking such services, including, with respect to each medical center and community-based outpatient clinic in the applicable Veterans Integrated Service Network—

(1) the name and contact information of each women's health coordinator;

(2) a list of appropriate staff for other benefits available from the Veterans Benefits Administration, the National Cemetery Administration, and such other entities as the Secretary considers appropriate; and

(3) such other information as the Secretary considers appropriate.

(c) UPDATED INFORMATION.—The Secretary shall ensure that the information described in subsection (b) that is published on the internet website required by subsection (a) is updated not less frequently than once every 90 days.

(d) OUTREACH.—In carrying out this section, the Secretary shall ensure that the outreach conducted under section 1720F(i) of title 38, United States Code, includes information regarding the internet website required by subsection (a).

(e) DERIVATION OF FUNDS.—Amounts used by the Secretary to carry out this section shall be derived from amounts made available to the Secretary to publish internet websites of the Department.

TITLE VII—OTHER MATTERS

SEC. 701. EXPANDED TELEHEALTH FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall enter into agreements, and expand existing agreements, with organizations that represent or serve veterans, nonprofit organizations, private businesses, and other interested parties for the expansion of telehealth capabilities and the provision of telehealth services to veterans through the award of grants under subsection (b).

(b) AWARD OF GRANTS.—

(1) IN GENERAL.—In carrying out agreements entered into or expanded under this section with entities described in subsection (a), the Secretary shall award grants to those entities.

(2) LOCATIONS.—To the extent practicable, the Secretary shall ensure that grants are awarded to entities that serve veterans in rural and highly rural areas (as determined through the use of the Rural-Urban Commuting Areas coding system of the Department of Agriculture) or areas determined to be medically underserved.

(3) USE OF GRANTS.—

(A) IN GENERAL.—Grants awarded to an entity under this subsection may be used for one or more of the following:

(i) Purchasing, replacing or upgrading hardware or software necessary for the provision of secure and private telehealth services.

(ii) Upgrading security protocols for consistency with the security requirements of the Department of Veterans Affairs.

(iii) Training of site attendants, including payment of those attendants for completing that training, with respect to—

(I) military and veteran cultural competence, if the entity is not an organization that represents veterans;

(II) equipment required to provide telehealth services;

(III) privacy, including the Health Insurance Portability and Accountability Act of 1996 privacy rule under part 160 and subparts A and E of part 164 of title 45, Code of Federal Regulations, or successor regulations, as it relates to health care for veterans;

(IV) scheduling for telehealth services for veterans; or

(V) any other unique training needs for the provision of telehealth services to veterans.

(iv) Upgrading existing infrastructure owned or leased by the entity to make rooms more conducive to telehealth care, including—

(I) additions or modifications to windows or walls in an existing room, or other alterations as needed to create a new, private room, including permits or inspections required in association with space modifications;

(II) soundproofing of an existing room;

(III) new electrical, telephone, or internet outlets in an existing room; or

(IV) aesthetic enhancements to establish a more suitable therapeutic environment.

(v) Upgrading existing infrastructure to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(vi) Upgrading internet infrastructure and sustainment of internet services.

(vii) Sustainment of telephone services.

(B) EXCLUSION.—Grants may not be used for the purchase of new property or for major construction projects, as determined by the Secretary.

(c) AGREEMENT ON TELEHEALTH ACCESS POINTS.—

(1) IN GENERAL.—An entity described in subsection (a) that seeks to establish a telehealth access point for veterans but does not require grant funding under this section to do so may enter into an agreement with the Department for the establishment of such an access point.

(2) ADEQUACY OF FACILITIES.—An entity described in paragraph (1) shall be responsible for ensuring that any access point is adequately private, secure, clean, and accessible for veterans before the access point is established.

(d) ASSESSMENT OF BARRIERS TO ACCESS.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall complete an assessment of barriers faced by veterans in accessing telehealth services.

(2) ELEMENTS.—The assessment required by paragraph (1) shall include the following:

(A) A description of the barriers veterans face in using telehealth while not on property of the Department.

(B) A description of how the Department plans to address the barriers described in subparagraph (A).

(C) Such other matters related to access by veterans to telehealth while not on property of the Department as the Secretary considers relevant.

(3) REPORT.—Not later than 120 days after the completion of the assessment required by paragraph (1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the assessment, including any recommendations for legislative or administrative action based on the results of the assessment.

SEC. 702. PARTNERSHIPS WITH NON-FEDERAL GOVERNMENT ENTITIES TO PROVIDE HYPERBARIC OXYGEN THERAPY TO VETERANS AND STUDIES ON THE USE OF SUCH THERAPY FOR TREATMENT OF POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY.

(a) PARTNERSHIPS TO PROVIDE HYPERBARIC OXYGEN THERAPY TO VETERANS.—

(1) USE OF PARTNERSHIPS.—The Secretary of Veterans Affairs, in consultation with the Center for Compassionate Innovation within the Office of Community Engagement of the Department of Veterans Affairs, may enter into partnerships with non-Federal Government entities to provide hyperbaric oxygen treatment to veterans to research the effectiveness of such therapy.

(2) TYPES OF PARTNERSHIPS.—Partnerships entered into under paragraph (1) may include the following:

(A) Partnerships to conduct research on hyperbaric oxygen therapy.

(B) Partnerships to review research on hyperbaric oxygen therapy provided to non-veterans.

(C) Partnerships to create industry working groups to determine standards for research on hyperbaric oxygen therapy.

(D) Partnerships to provide to veterans hyperbaric oxygen therapy for the purposes of conducting research on the effectiveness of such therapy.

(3) LIMITATION ON FEDERAL FUNDING.—Federal Government funding may be used to coordinate and administer the partnerships under this subsection but may not be used to carry out activities conducted under such partnerships.

(b) REVIEW OF EFFECTIVENESS OF HYPERBARIC OXYGEN THERAPY.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Center for Compassionate Innovation, shall begin using an objective and quantifiable method to review the effectiveness and applicability of hyperbaric oxygen therapy, such as through the use of a device approved or cleared by the Food and Drug Administration that assesses traumatic brain injury by tracking eye movement.

(c) SYSTEMATIC REVIEW OF USE OF HYPERBARIC OXYGEN THERAPY TO TREAT CERTAIN CONDITIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Center for Compassionate Innovation, shall commence the conduct of a systematic review of published research literature on off-label use of hyperbaric oxygen therapy to treat post-traumatic stress disorder and traumatic brain injury among veterans and non-veterans.

(2) ELEMENTS.—The review conducted under paragraph (1) shall include the following:

(A) An assessment of the current parameters for research on the use by the Department of Veterans Affairs of hyperbaric oxygen therapy, including—

(i) tests and questionnaires used to determine the efficacy of such therapy; and

(ii) metrics for determining the success of such therapy.

(B) A comparative analysis of tests and questionnaires used to study post-traumatic stress disorder and traumatic brain injury in other research conducted by the Department of Veterans Affairs, other Federal agencies, and entities outside the Federal Government.

(3) COMPLETION OF REVIEW.—The review conducted under paragraph (1) shall be completed not later than 180 days after the date of the commencement of the review.

(4) REPORT.—Not later than 90 days after the completion of the review conducted under paragraph (1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the review.

(d) FOLLOW-UP STUDY.—

(1) IN GENERAL.—Not later than 120 days after the completion of the review conducted under subsection (c), the Secretary, in consultation with the Center for Compassionate Innovation, shall commence the conduct of a study on all individuals receiving hyperbaric oxygen therapy through the current pilot program of the Department for the provision of hyperbaric oxygen therapy to veterans to determine the efficacy and effectiveness of hyperbaric oxygen therapy for the treatment of post-traumatic stress disorder and traumatic brain injury.

(2) ELEMENTS.—The study conducted under paragraph (1) shall include the review and publication of any data and conclusions resulting from research conducted by an authorized provider of hyperbaric oxygen therapy for veterans through the pilot program described in such paragraph.

(3) COMPLETION OF STUDY.—The study conducted under paragraph (1) shall be completed not later than three years after the date of the commencement of the study.

(4) REPORT.—

(A) IN GENERAL.—Not later than 90 days after completing the study conducted under paragraph (1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study.

(B) ELEMENTS.—The report required under subparagraph (A) shall include the recommendation of the Secretary with respect to whether or not hyperbaric oxygen therapy should be made available to all veterans with traumatic brain injury or post-traumatic stress disorder.

SEC. 703. PRESCRIPTION OF TECHNICAL QUALIFICATIONS FOR LICENSED HEARING AID SPECIALISTS AND REQUIREMENT FOR APPOINTMENT OF SUCH SPECIALISTS.

(a) TECHNICAL QUALIFICATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe the technical qualifications required under section 7402(b)(14) of title 38, United States Code, to be appointed as a licensed hearing aid specialist under section 7401(3) of such title.

(2) ELEMENTS FOR QUALIFICATIONS.—In prescribing the qualifications for licensed hearing aid specialists under paragraph (1), the Secretary shall, at a minimum, ensure that such qualifications are consistent with—

(A) the standards for licensure of hearing aid specialists that are required by a majority of States;

(B) any competencies needed to perform tasks and services commonly performed by hearing aid specialists pursuant to such standards; and

(C) any competencies needed to perform tasks specific to providing care to individuals under the laws administered by the Secretary.

(b) AUTHORITY TO SET AND MAINTAIN DUTIES.—The Secretary shall retain the authority to set and maintain the duties for licensed hearing aid specialists appointed under section 7401(3) of title 38, United States Code, for the purposes of the employment of such specialists with the Department of Veterans Affairs.

(c) APPOINTMENT.—Not later than September 30, 2022, the Secretary shall appoint not fewer than one licensed hearing aid specialist at each medical center of the Department.

(d) REPORT.—Not later than September 30, 2022, and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report—

(1) assessing the progress of the Secretary in appointing licensed hearing aid specialists under subsection (c);

(2) assessing potential conflicts or obstacles that prevent the appointment of licensed hearing aid specialists;

(3) assessing the factors that led to such conflicts or obstacles;

(4) assessing access of patients to comprehensive hearing health care services from the Department consistent with the requirements under section 4(b) of the Veterans Mobility Safety Act of 2016 (Public Law 114–256; 38 U.S.C. 7401 note), including an assessment of the impact of infrastructure and equipment limitations on wait times for audiologic care; and

(5) indicating the medical centers of the Department with vacancies for audiologists or licensed hearing aid specialists.

SEC. 704. USE BY DEPARTMENT OF VETERANS AFFAIRS OF COMMERCIAL INSTITUTIONAL REVIEW BOARDS IN SPONSORED RESEARCH TRIALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall complete all necessary policy revisions within

the directive of the Veterans Health Administration numbered 1200.05 and titled ''Requirements for the Protection of Human Subjects in Research'', to allow sponsored clinical research of the Department of Veterans Affairs to use accredited commercial institutional review boards to review research proposal protocols of the Department.

(b) IDENTIFICATION OF REVIEW BOARDS.—Not later than 90 days after the completion of the policy revisions under subsection (a), the Secretary shall—

(1) identify accredited commercial institutional review boards for use in connection with sponsored clinical research of the Department; and

(2) establish a process to modify existing approvals in the event that a commercial institutional review board loses its accreditation during an ongoing clinical trial.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the completion of the policy revisions under subsection (a), and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on all approvals of institutional review boards used by the Department, including central institutional review boards and commercial institutional review boards.

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) The name of each clinical trial with respect to which the use of an institutional review board has been approved.

(B) The institutional review board or institutional review boards used in the approval process for each clinical trial.

(C) The amount of time between submission and approval.

SEC. 705. CREATION OF OFFICE OF RESEARCH REVIEWS WITHIN THE OFFICE OF INFORMATION AND TECHNOLOGY OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish within the Office of Information and Technology of the Department of Veterans Affairs an Office of Research Reviews (in this section referred to as the ''Office'').

(b) ELEMENTS.—The Office shall do the following:

(1) Perform centralized security reviews and complete security processes for approved research sponsored outside the Department, with a focus on multi-site clinical trials.

(2) Develop and maintain a list of commercially available software preferred for use in sponsored clinical trials of the Department and ensure such list is maintained as part of the official approved software products list of the Department.

(3) Develop benchmarks for appropriate timelines for security reviews conducted by the Office.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the establishment of the Office, the Office shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the activity of the Office.

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) The number of security reviews completed.

(B) The number of personnel assigned for performing the functions described in subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on S. 785.

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

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act.

Madam Speaker, throughout the 116th Congress, the House Committee on Veterans' Affairs has committed significant resources and energy with one goal in mind, addressing and helping reduce veteran suicide.

As a result, our committee has passed no less than 15 pieces of legislation that would address many of the upstream challenges that veterans confront, which can exacerbate mental health conditions and often lead veterans into crisis.

While we are not discussing all of these proposals today, I am hopeful that one bill, and the subject of today's debate, S. 785, will provide additional tools and will lead to additional reporting that will inform our continued efforts to address this multifaceted and complex challenge.

There is no one solution to this issue, but I know that by working together we can continue to make meaningful progress.

I also thank the members of my committee and other Members of this Chamber who offered legislation in the House to address gaps, enhance upstream prevention, and create additional resources to help veterans access care. Many of these components are included in S. 785.

Congressman SABLAN's legislation included in S. 785 extends VA healthcare to veterans for a 1-year period following discharge or release from active service. We know this is a crucial period for veterans to be enrolled in and receive high-quality healthcare.

Two provisions from Congressman CISNEROS's bill are included in S. 785; one, directing VA to update its clinical practice guidelines for treating veterans at risk of suicide, and the other mandating that VA develop clinical practice guidelines to standardize best practices for treating co-occurring substance use disorders, chronic pain, PTSD and/or traumatic brain injuries.

□ 1230

Other members of my committee introduced House companion legislation for key components of S. 785.

Congresswoman LEE's bill supported further telehealth expansion at the VA to capitalize on the use of technology and meeting veterans where they are.

Congressman LAMB introduced legislation to bring the VA's complementary and integrated health services to even more veterans and also pushed the scientific enterprise to seek biomarkers and more tailored treatments for mental health problems through a new VA precision medicine initiative.

Congressman BRINDISI's bill will bring more resources to VA's suicide prevention coordinators and more staffing in this critical area to VA medical centers.

Madam Speaker, I want to say thanks to them and all our Members who introduced companion legislation to S. 785, and I now encourage my colleagues to join me in supporting S. 785.

Madam Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in strong support of S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019.

Today, and every day, approximately 20 of our Nation's veteran servicemembers and members of the National Guard and Reserve will die by suicide. This bill is named after one of those veterans, Commander John Scott Hannon.

One of its most important provisions is named after another, Staff Sergeant Parker Gordon Fox, who grew up in my district in east Tennessee.

While we cannot bring back Commander Hannon, Staff Sergeant Fox, or countless veterans like them, we can act by passing this bill today to help save the lives of the brothers and sisters in arms they left behind.

This Congress, both the House and Senate Veterans' Affairs Committees have made it our priority to prevent veteran suicide. This bill represents the culmination of our work.

We would not be here without the unwavering efforts of many individuals: Senators and Members of Congress from both sides of the aisle who have worked hard on the various components of this bill; Secretary Wilkie and his team in VA and in the White House who have worked with us on a bipartisan, bicameral basis to make sure we get it right; and our veterans service organization partners that have provided their input, expertise, and encouragement every step of the way.

I would be remiss if I did not say a particular thank you to my friends and esteemed Senate colleagues, Chairman JERRY MORAN of Kansas and Ranking Member JON TESTER of Montana, the chairman and ranking member of the Senate Veterans' Affairs Committee.

I have had the honor and the privilege of working with Senators MORAN and TESTER for many years, and I know that America's veterans have no greater champions in the United States Senate than them. I am grateful for their

hard work and steadfast leadership shepherding this bill to the President's desk over the last year and a half.

And, of course, I am also grateful to my friend and fellow leader of the House Veterans' Affairs Committee, Congressman MARK TAKANO of California. Since he took over the gavel last year, Chairman TAKANO has focused our committee's work on veteran suicide prevention. I am proud to stand with him in pursuit of that goal.

Veterans are 1.5 times more likely to die by suicide than nonveterans, in general, and veteran women are 2.2 times more likely to die by suicide than nonveteran women. It is certainly not for lack of attention, effort, or desire that the veteran suicide rate remains as high as it has for as long as it has.

When I came to Congress in 2009, the VA's mental health budget was approximately $4 billion per year. When I leave Congress at the end of this year, the VA's mental health budget will total approximately $10 billion. Over that nearly 12-year period, the veteran suicide rate has remained essentially the same, with approximately 20 lives lost per day.

Finally lowering that number and eventually stopping veteran suicide altogether will not be easy, but S. 785 takes a number of different approaches that I believe will make a real difference to veterans in need.

It includes provisions that would improve access to care for veterans at risk of suicide; strengthening VA's mental health workforce; expanding the availability of complementary and alternative techniques to improve veteran quality of life; advancing important research into diagnosis and treatment of conditions like post-traumatic stress disorder, depression, anxiety, bipolar disorder, suicide ideation, and the connection between suicide and certain prescription medications; and support for servicemembers as they transition to civilian life, a time in which we know they are uniquely vulnerable to stresses and suicidal thoughts.

S. 785 would also establish the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program to support community-based organizations that provide needed care and other services to at-risk veterans in their neighborhoods and backyards.

The care and support that the VA offers to veterans is second to none. Under President Trump's direction these last 3½ years, excellent strides have been made to increase access to care, expand veteran choice, strengthen the veterans' trust that they have in the VA healthcare system, and more.

Only 6 of the 20 servicemembers and veterans who die by suicide each day had used VA care in the last 2 years prior to their death. Not all of those who have served are eligible for VA care. Even those who are eligible may sometimes find the barrier to entry to a VA medical center too high, especially when they already are stressed and struggling.

If we truly want to prevent veteran suicide, I believe that we must expand the VA's reach by partnering with well-respected community organizations that are meeting military families where they are, developing long-lasting and meaningful relationships to help them heal, and connecting them with the VA and other sources of support that best suit their individual and family needs.

The Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program would create the mechanism to do that most effectively. It is based on the bipartisan IMPROVE Act, which is sponsored in the House by my good friend and ranking member of the Subcommittee on Oversight and Investigations, Lieutenant General JACK BERGMAN of Michigan, and Congresswoman CHRISSY HOULAHAN of Pennsylvania.

Both General BERGMAN and Congresswoman HOULAHAN are veterans themselves, and I know their commitment to supporting their fellow veterans is deeply and strongly felt. I am grateful to both of them for their hard work and leadership on this bill and for their ongoing service to this country, first in uniform and now in Congress.

As I mentioned in my opening, this grant program is named after one of east Tennessee's own, Staff Sergeant Parker Gordon Fox. Parker grew up in Kingsport, Tennessee, very near to where I live, and joined the Army after high school graduation. He was only 25 years old when he died this summer.

I did not know Parker personally, but I have been touched by the loving legacy he left behind and the many wonderful comments I have heard from friends and family.

My heart is with his family and friends today, and I hope that they take some comfort in knowing that Parker will forever be memorialized through this program that will help veterans like him across the country and, hopefully, save others from the deep grief they are now experiencing.

It is Parker I will be thinking of when I vote in support of this bill today, and I hope that every one of my colleagues will join me.

In closing, I would like any veteran listening today who may be struggling with their own thoughts of suicide to know that you do not have to struggle alone. These are trying times, but free and confidential support is available to you any time of the day or night by calling 1–800–273–8255 and pressing 1, texting 838255, or visiting veteranscrisisline.net. It is okay not to be okay. Please reach out for help, if you need it, please.

Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I thank Ranking Member ROE for his kind words, and it is a pleasure to be here today to present this package of legislation on veteran suicide prevention.

I do appreciate his mentioning the veteran hotline, and I do want to also encourage veterans to know that it is okay to not be okay and to please call the number that Dr. ROE just announced. I will try to make sure I repeat that later on during our session today.

Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. LAMB), my good friend and vice chairman of the Veterans' Affairs Committee.

Mr. LAMB. Madam Speaker, I thank the chairman for his hard work bringing us this bipartisan, bicameral compromise that will get things done for our Nation's veterans.

Madam Speaker, my contributions to today's bill are sort of a mix of old and new. We are dramatically increasing the investments and availability of age-old practices like acupuncture, meditation, yoga, nutritional counseling, things that, when you talk to the veterans themselves, whether younger millennial-age veterans or grizzled Vietnam war veterans, they will tell you these are some of their favorite offerings at the local VA and some of the practices that make the biggest differences for people with chronic pain, stress, and anxiety.

I have heard my Republican colleagues make the point many times that we have increased the VA's budget without seeing much progress on the suicide rate. I agree. That is unacceptable.

These are some of the least costly offerings that the VA has to make: acupuncture and chiropractor. They come up again and again, and they are a minuscule part of the VA's budget. We can make a small increase and make an enormous difference.

We are also investing in another great opportunity to do research for biomarkers, precision medicine that will tell us how we can better treat the invisible wounds of war with new technologies; again, a small down payment today for the possibility of much more effective and much more cost-effective treatment going forward.

The other important mix of old and new that we see today, Madam Speaker, is that we are making new investments—investing in new technology, offering new services to veterans—but we have done it in an old-fashioned way, which is that both sides work together.

This will probably be my last chance to recognize our ranking member, Dr. ROE, before he leaves us at the end of this Congress. I just want to say, when I came to this Congress 2½ years ago, my first committee assignment was on the Veterans' Affairs Committee when he was chairman. Dr. ROE was kind to me from beginning to end, taught me a lot about the needs of our Nation's veterans from the standpoint of a practicing physician, always with an eye on cost, but, above all, on veterans' well-being.

We thank Dr. ROE for his service, and our Nation's veterans are better off for it.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS), my good friend, who has served together with me for 12 years on the Veterans' Affairs Committee and vice chairs the committee. There is no greater advocate for veterans in this country than GUS BILIRAKIS.

Mr. BILIRAKIS. Madam Speaker, I thank the chairman for putting forth this bill, and I also thank my good friend Ranking Member ROE, who does an outstanding job. He has really done excellent work. It has been an honor to serve with him on behalf of our veterans. I thank him so much for his service, his continuing service to our country and our true American heroes.

Madam Speaker, I rise today in strong support of S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act.

This bill will help prevent veteran suicide by expanding access to care, services, and support for at-risk individuals within the VA healthcare system and their local communities. It contains the IMPROVE Act, a bill by my friend General BERGMAN that I was proud to support as one of the first cosponsors.

This section creates a grant program for community providers to collaborate and assist in suicide prevention services and is modeled after the bipartisan SSVF program, which has been very successful in reducing veteran homelessness. We need new and innovative ways to tackle this tragic problem that our veterans are facing today.

Tragically, 20 servicemembers and veterans take their own lives each day, not in combat, not by violent crime, but due to suicide. We must do everything to stop this, Madam Speaker.

We know, too, that many of those 20 per day are not currently using VA services. That is why this grant program may be particularly helpful, since it specifically targets to reach those veterans who are actively suicidal or at risk of suicide who are not current users of the VA health system.

Madam Speaker, the status quo is unacceptable, and none of us should stand idly by and allow this epidemic of veteran suicide to continue. When we called on them, our heroes, these servicemembers and veterans answered the call to serve. It is time for us to answer the call and support our heroes and get them the help that they have earned and deserve.

□ 1245

Mr. TAKANO. Madam Speaker, I yield 3 minutes to the gentlewoman from Nevada (Mrs. LEE), my good friend and the chairwoman of the Subcommittee on Technology Modernization, and also the author of this important piece of legislation.

Mrs. LEE of Nevada. Madam Speaker, I want to thank the chairman for bringing this bill in front of the House. And I stand today in support of S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act.

In addition to making critical updates related to VA transition assistance, mental healthcare, and care for women veterans, this bill also includes an important provision that I championed here in the House in the form of the VA Telehealth Expansion Act, which would provide entities with grants expanding telehealth capabilities to serve veterans throughout the VA.

We know the stat that over 20 veterans take their life by suicide every day, and not one suicide is acceptable. And many of those veterans are not accessing VA care. We know that telehealth is another venue to allow those veterans increased access, whether a veteran is homebound, in a rural community, in a community without access to a VA clinic or a hospital, or as we have seen now during this pandemic, at high risk of dying if they catch COVID–19. This pandemic has shown us just how critical it is for our veterans to be able to access healthcare through telehealth.

In my home State of Nevada, on the week that southern Nevada began responding to the COVID–19 pandemic, the number of veterans in the southern Nevada healthcare system who had telehealth visits, the number was just under 150. Fast forward to just the week of July 19, we were providing over 2,000 video visits to veterans in their homes via the VA Video Connect. That means that the telehealth video visits increased by over 1,000 percent.

It is abundantly clear that telehealth has provided improved access in healthcare for so many veterans, and we must continue to invest in the VA's telehealth capacity, and S. 785 does just that.

Madam Speaker, finally, I want to give a special thank you also to Congressman ROE, the ranking member, for his leadership on this committee. I have only been working with him for one term, but without a doubt, I want to thank him for his commitment to our veterans.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I appreciate the kind words and those of Congressman LAMB also. It is very much appreciated.

Madam Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. BERGMAN), from the Upper Peninsula where there are more deer than there are people. General BERGMAN has served our country as a marine, in private business as a pilot, and now as a Congressman, and I am indeed fortunate to call him my friend.

Mr. BERGMAN. Madam Speaker, Dr. ROE is right, November 15 is fast approaching here where it is the opening of deer season in Michigan, so we anxiously await that.

Madam Speaker, S. 785, the Commander John Scott Hannon Veterans Mental Health Improvement Act of 2019, will save veterans' lives, and I rise in unequivocal support of this legislation.

The flame of my passion to end veteran suicide was lit long before I was elected to Congress, starting with Vietnam to the global war on terror.

I would like to just take one extra opportunity to, again, welcome home my fellow veterans from Vietnam. You served your country in tough times, and we owe you that again and again for waiting so long to thank you.

Because of that, in June 2019, I proudly introduced the Improve Well-Being for Veterans Act, which proposed a grant program that would allow the VA to support the nationwide network of community organizations already providing lifesaving services to local veterans and their families. And it would be effective in reaching the 60-plus percent of veterans who die by suicide but are not within the VA system of care. The goal was to try something different when the status quo was not working. That was the driver here among all of us who chose to cosponsor the Improve Act.

Within a 6-month period we gained over 250 bipartisan cosponsors, gained VSO support, and welcomed VA Secretary Wilkie to testify before our committee.

Now, the best possible version of this legislation lies at the heart of S. 785, which I strongly urge all of my colleagues to support.

For over a decade, and despite billions of dollars spent within the VA trying their hardest, we have heard the same statistic over and over again, 20 veterans die by their own hand every day. That is why this new approach and innovative approach and a different way of looking at things, maybe from the outside in, as opposed to the inside out, is long overdue. And I am excited to stay engaged and work with the administration to ensure that it makes a difference, especially for the veterans in our rural and remote communities that are so vulnerable.

You know, when you come in as a freshman—and I love to say that, being a freshman at the age of 70 a few years ago. I learned as a marine early on, you look for good leadership, and I will tell you, I found it in Dr. ROE as the Chairman of Veterans' Affairs in my first term.

Madam Speaker, I just wanted to say thank you to Dr. ROE for his leadership and for dropping the gavel on time every committee hearing, because that was one of his first bits of guidance to us as a committee, and he walked the talk. I thank him for his leadership. We are going to miss him, but he is not far away, and I have his phone number.

Madam Speaker, I would also like to thank the 250-plus bipartisan cosponsors, and also both the majority and the minority staffs for working so hard to make this happen, and the VSOs. I thank my co-lead CHRISSY HOULAHAN, Senator BOOZMAN, Chairman MORAN,

Ranking Member TESTER, Chairman TAKANO, and, once again, to Dr. ROE.

Mr. TAKANO. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. CISNEROS), my good friend and member of the House Veterans' Affairs Committee.

Mr. CISNEROS. Madam Speaker, I rise today in support of the Commander John Scott Hannon Veterans Mental Health Care Improvement Act.

As this month marks National Suicide Prevention Awareness Month, I am grateful the House and Senate Veterans' Affairs Committees are working across the aisle to improve mental health services for our veterans. I am proud that this package includes my bipartisan bill, the STOP Veteran Suicide and Substance Abuse Act.

We know that too many veterans struggling with mental health challenges, like PTSD, are often also dealing with substance misuse issues and the impact of various traumas, including military sexual assault.

Given how common these co-occurring problems are, VA healthcare providers need evidence-based guidance for working with multiple issues all at once. My bill ensures that the VA will develop and disseminate this clinical practice guideline to share best practices VA-wide.

Madam Speaker, I want to thank Representative MAST for working with me on this bill, and Chairman TAKANO for his tireless leadership on this issue.

And I also want to thank Dr. ROE for his years of service to the country, both as a doctor, a soldier, and as a member of this committee and service in the House of Representatives. I thank him very much for his friendship, always stopping to say hello. We are going to miss him here. But I know he will continue his service back in civilian life, and so I thank him very much for his years of service.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. HOULAHAN), my good friend.

Ms. HOULAHAN. Madam Speaker, I want to thank the chairman for bringing this bill to the House.

Madam Speaker, I rise as well to speak in favor of S. 785.

This comprehensive package of legislation complements the other VA bills we considered yesterday and today. I want to highlight two pieces of this bill, in particular.

This bill aims to improve the mental health medical workforce at the VA. The vast majority of veterans who get their care at the VA love their experience, and that is because of the dedicated VA workforce.

However, we do need to address head-on the issue of staffing shortages. According to the most recent VA report, there are roughly 50,000 vacant positions at the VA at any given time, many of which are slots for healthcare providers.

This bill would require the VA to create a plan to address the staffing of mental healthcare providers at its facilities, and ensure that each medical center, like the one in Coatesville in my district, is staffed with a suicide prevention coordinator.

This bill also includes the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program, which would push funding for suicide prevention services out to vetted community organizations. This is a similar one that was proposed in the Improve Act, which I was proud to help lead with my colleague across the aisle, General BERGMAN.

This will really help us reach the millions of veterans who do not use the VA for healthcare, or who are more comfortable talking about their mental health concerns in a nongovernmental setting. It will also ensure that these organizations can refer veterans to the VA when needed, ensuring that there is a warm hand-off, which is so critical when someone is in crisis.

Madam Speaker, I do want to take this opportunity to thank Chairman TAKANO for his leadership on this critically important issue. The fact that the House is poised to pass not only S. 785, but also the chairman's Veterans COMPACT Act, and a variety of other related bills, is truly a testament to his laser-like focus on this issue.

Representative BROWNLEY, who leads the Women Veterans Task Force, also has been especially attentive to the barriers that women veterans face as well. VA research recently found that the share of women veterans using the VA has grown nearly 15 percent in 10 years, and we need to ensure that this VA is adapting and continuing to be the veterans' first choice for quality mental healthcare regardless of gender.

Madam Speaker, it has been a pleasure to work with General BERGMAN on the Improve Act, given our common background in service. General BERGMAN and I quickly connected last year over the importance of ensuring that we use all of the tools in our toolkit, the VA, community organizations, peer support groups, and more, to reach veterans in mental health crisis where they are and where they feel comfortable.

Madam Speaker, I thank General BERGMAN and Ranking Member Dr. ROE for their leadership in getting to this moment as well.

I would like to end by saying, it is okay to not be okay. If you are experiencing a crisis or know someone who is, please dial 1–800–273–8255, and press 1. Again, 1–800–273–8255, and press 1.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, first of all, we have heard numerous speakers today speak eloquently about the problems we have with veteran suicide in this country and active duty servicemembers, I mean, a horrific number of 20, which we have not changed at all in the last 20 years.

□ 1300

Two decades and we are still having this problem, no matter how much money, so it was time to think outside the box, which I believe this did. No one bill, Madam Speaker, is going to solve this problem.

We have read numbers to call. Look, reach out to a friend. If you have a friend or a pastor or someone who you trust, reach out to them if you are in a dark place, and then we will get you the help you need. We will get you the resources you need because most of these decisions, many of these, are impulsive decisions that once they are avoided, that person can lead a fruitful, bountiful life.

That is what we want. We want you to reach out, and we will get you the help you need to get you from the place you are to a place of a productive, helpful life.

I thank all the Members, especially the chairman, who made this his primary goal, suicide prevention. I thank him for that.

Madam Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, I urge all of my colleagues to join me in passing S. 785. I thank all of my colleagues who worked on this bill on both sides of the aisle, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. DEAN). The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, S. 785.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STOPPING HARM AND IMPLEMENTING ENHANCED LEAD-TIME FOR DEBTS FOR VETERANS ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5245) to amend title 38, United States Code, to provide for a bar on the recovery of certain payments or overpayments made by the Department of Veterans Affairs by reason of delays in processing of certain information, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5245

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 ''Stopping Harm and Implementing Enhanced Lead-time for Debts for Veterans Act'' or the ''SHIELD for Veterans Act''.

SEC. 2. PROHIBITION OF DEBT ARISING FROM OVERPAYMENT DUE TO DELAY IN PROCESSING BY THE DEPARTMENT OF VETERANS AFFAIRS.

(a) BAR TO RECOVERY.—

(1) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by inserting after section 5302A the following new section:

"§ 5302B. Prohibition of debt arising from overpayment due to delay in processing

''(a) LIMITATION.—No individual may incur a debt to the United States that—

''(1) arises from any program or benefit administered by the Under Secretary for Benefits; and

''(2) is attributable to the failure of an employee or official of the Department to process information provided by or on behalf of that individual within applicable timeliness standards established by the Secretary.

''(b) NOTICE TO BENEFICIARY.—If the Secretary determines that the Secretary has made an overpayment to an individual, the Secretary shall provide notice to the individual of the overpayment. Such notice shall include an explanation of the right of the individual to dispute the overpayment or to request a waiver of indebtedness.

''(c) DELAY ON COLLECTION.—The Secretary may not take any action under section 3711 of title 31 regarding an overpayment described in a notice under subsection (b) until the date that is 90 days after the date the Secretary issues such notice.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5302A the following new item:

''5302B. Prohibition of debt arising from overpayment due to delay in processing.''.

(3) DEADLINE.—The Secretary of Veterans Affairs shall prescribe regulations to establish standards under section 5302B(a)(2) of such title, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

(b) PLAN FOR IMPROVED NOTIFICATION AND COMMUNICATION OF DEBTS.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary of Veterans Affairs shall submit to Congress a report on the improvement of the notification of and communication with individuals who receive overpayments made by the Secretary. Such report shall include each of the following:

(1) The plan of the Secretary to carry out each of the following:

(A) The development and implementation of a mechanism by which individuals enrolled in the patient enrollment system under section 1705 of title 38, United States Code, may view their monthly patient medical statements electronically.

(B) The development and implementation of a mechanism by which individuals eligible for benefits under the laws administered by the Secretary may receive electronic correspondence relating to debt and overpayment information.

(C) The development and implementation, by not later than October 1, 2022, of a mechanism by which individuals eligible for benefits under the laws administered by the Secretary may access information related to Department of Veterans Affairs debt electronically.

(D) The improvement and clarification of Department communications relating to overpayments and debt collection, including letters and electronic correspondence. The Secretary shall develop such improvements and clarifications in consultation with veterans service organizations and other relevant non-governmental organizations.

(E) The development and implementation, by not later than October 1, 2022, of a mechanism by which veterans may update their dependency information electronically.

(2) A description of the current efforts and plans for improving the accuracy of payments to individuals entitled to benefits under the laws administered by the Secretary, including specific data matching agreements.

(3) A description of steps to be taken to improve the identification of underpayments to such individuals and to improve Department procedures and policies to ensure that such individuals who are underpaid receive adequate compensation payments.

(4) A list of actions completed, implementation steps, and timetables for each requirement described in paragraphs (1) through (3).

(5) A description of any new legislative authority required to complete any such requirement.

SEC. 3. THRESHOLD FOR REPORTING DEBTS TO CONSUMER REPORTING AGENCIES.

(a) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by adding after section 5319 the following new section:

"§ 5320. Threshold for reporting debts to consumer reporting agencies

''The Secretary shall prescribe regulations that establish the minimum amount of a claim or debt, arising from a benefit administered by the Under Secretary for Benefits or Under Secretary for Health, that the Secretary will report to a consumer reporting agency under section 3711 of title 31.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 5319 the following new item:

''5320. Threshold for reporting debts to consumer reporting agencies.''.

(c) DEADLINE.—The Secretary of Veterans Affairs shall prescribe regulations under section 5320 of such title, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

SEC. 4. REMOVAL OF DEPENDENTS FROM AWARD OF COMPENSATION OR PENSION.

The Secretary of Veterans Affairs shall ensure that—

(1) a veteran may remove any dependent from an award of compensation or pension to the veteran using the eBenefits system of the Department of Veterans Affairs, or a successor system; and

(2) such removal takes effect not later than 60 days after the date on which the veteran makes such removal.

SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 5245, as amended.

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

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 5245, as amended, the Stopping Harm and Implementing Enhanced Lead-Time for Debts for Veterans Act, or the SHIELD for Veterans Act. It would create important steps to improve how VA handles overpayments made to veterans. The Department's process for collecting overpayments that it makes must be fair and reasonable and consider the potential hardships when an error is discovered. This legislation does just that.

Further, the legislation would make overpayments less common by improving the information available to beneficiaries and modernize how veterans can provide updates to VA on their eligibility and status.

The SHIELD Act was sponsored by Chairman CHRIS PAPPAS, who leads our Oversight and Investigations Subcommittee. The bill was developed based on hearings Chairman PAPPAS held during the session. The subcommittee also conducted extensive oversight of VA collections.

Finally, the legislation takes into account the experiences and input of veterans service organizations that help veterans navigate what is an overly complex current collections process that leaves many understandably frustrated.

I also appreciate the bipartisan nature of this bill. Our oversight was conducted with the minority that also offered improvements to the bill, which were incorporated into the current language.

I support this bill, and I urge my colleagues to do the same. I thank Mr. PAPPAS for sponsoring this important legislation and urge my colleagues to support H.R. 5245, as amended.

Madam Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 5245, as amended, the SHIELD for Veterans Act.

This bill would prohibit the Department of Veterans Affairs from collecting on debts from the Veterans Benefits Administration that arise out of VA's failure to process changes in a veteran's entitlement to benefits within certain timeliness standards.

Veterans should not face financial hardships due to delays or errors made by VA, nor should Congress accept that forgiving debts is a long-term solution. Rather, we need to strive to eliminate the creation of the debt in the first place.

H.R. 5245 would do that by addressing one of the major root causes of debt.

Certainly, veterans can add dependents to their compensation or pension award using VA's eBenefits online tool, and that change is effective immediately. However, VA does not allow for the immediate removal of dependents using that same tool.

Because the removal of a veteran dependent requires a manual review, a debt is often created because VA's lengthy review process results in overpayments to veterans that, by law, VA must attempt to recoup.

I thank my good friend and fellow veteran, the ranking member of the Subcommittee on Disability Assistance and Memorial Affairs, Congressman MIKE BOST from Illinois, for amending this bill while it was being considered in committee to require VA to establish a process to allow a veteran to remove a dependent through eBenefits as seamlessly as they add a dependent. This would remove the bureaucratic and archaic hurdles of the current paper-based process and reduce the creation of debts.

The remainder of the bill would streamline and improve VBA's debt collection process, so veterans have a transparent understanding of their rights and how to dispute debts when they do occur.

I thank the chairman and ranking member of the Subcommittee on Oversight and Investigation, Congressman CHRIS PAPPAS from New Hampshire and General JACK BERGMAN from Michigan, for their work on this bill. I also thank Chairman PAPPAS for amending the bill that we reported out of the committee to address late-identified CBO scoring issues.

I believe that our bipartisan efforts produced a policy that is good for veterans and taxpayers alike, and I encourage my colleagues to join me in supporting this bill today.

Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield 5 minutes to the gentleman from New Hampshire (Mr. PAPPAS), my good friend, the chairman of the Subcommittee on Oversight and Investigations, and also the author of this important piece of legislation.

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

Madam Speaker, I thank Chairman TAKANO and Ranking Member ROE for their words, as well as for their efforts to help us get to yes on this important piece of legislation.

I rise in support of H.R. 5245, a bill I introduced along with my colleague, Congressman MAX ROSE, to fix some major problems directly affecting our veterans.

Last year, I heard from one of my constituents, New Hampshire veteran Jeff Varney, who contacted my office for assistance. Jeff, like thousands of other veterans across the country, is facing tremendous financial hardship due to VA errors.

Jeff was in disbelief when the VA informed him that he needed to repay years of benefit overpayments because of an apparent error that VA made decades ago.

So after a lifetime of service, and through no fault of his own, Jeff was told he is on the hook for more than $11,000, even though VA produced no accounting of how these debts were accrued.

Unfortunately, Jeff is not alone in this experience, and too many of our veterans are badly surprised when they receive letters saying they owe the VA money. Sometimes these debts reach thousands of dollars. During the hearings held by our Oversight and Investigations Subcommittee, we heard from veterans service organizations about the pain and hardship that these surprises may bring.

Last fiscal year, the VA collected $1.6 billion in debts from veterans. Sometimes these debts result from mistakes in disability payouts, changes in eligibility, or simple accounting errors that place an undue, unexpected financial burden on our veterans.

It is long past the time to clean this issue up. That is why today I am asking my colleagues to support the SHIELD for Veterans Act, which reforms VA debt collection processes and ensures we are making good on the promises we have made to our veterans.

The SHIELD Act prevents VA from collecting overpayments that came as a result of their own delays in processing and requires the VA to provide our veterans notice of an overpayment and their plan to collect it. It also requires VA to notify veterans of their ability to dispute the overpayment or request a waiver.

Under this bill, VA will issue a report to Congress on a plan to improve communications with our veterans on the debt issue.

The last thing that my constituent needs, and other constituents need, is to be hounded by debt collectors, especially if they have done everything right.

This is a bipartisan, commonsense bill, and I really want to thank the majority and minority staff for their work. I thank my ranking member, General BERGMAN, as well as Congressman BOST, for their contributions to helping make this bill better.

It is simply unacceptable that VA's mistakes or inefficiencies are going to hurt the men and women that they are supposed to serve

Madam Speaker, I urge my colleagues to support this legislation.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I encourage my colleagues to support this commonsense bill. It is one of the most common things we hear in our office, about an outrageous debt that a veteran owes back that they didn't know they owed because of a bureaucratic snafu. We have all heard these cases.

I thank my colleagues for bringing this up. We should have done this years ago.

Madam Speaker, I encourage my colleagues to support this bill, and I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, I, too, urge passage of this commonsense solution. I very much also appreciate the bipartisan agreement that we have reached that this is, indeed, a problem we should have fixed many years ago.

Madam Speaker, I urge my colleagues to join me in passing H.R. 5245, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 5245, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPENDABLE EMPLOYMENT AND LIVING IMPROVEMENTS FOR VETERANS ECONOMIC RECOVERY ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7105) to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7105

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Dependable Employment and Living Improvements for Veterans Economic Recovery Act'' or the ''DELIVER Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—ASSISTANCE FOR HOMELESS VETERANS

Sec. 101. Flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency.

Sec. 102. Expansion of eligibility for HUD–VASH.

Sec. 103. Legal services for homeless veterans and veterans at risk for homelessness.

Sec. 104. Gap analysis of Department of Veterans Affairs Programs that provide assistance to women veterans who are homeless.

Sec. 105. Improvements to grants and agreements between the Secretary of Veterans Affairs and entities that provide services to homeless veterans.

Sec. 106. Repeal of sunset on authority to carry out program of referral and counseling services for veterans at risk for homelessness who are transitioning from certain institutions.

Sec. 107. Coordination of case management services for veterans receiving housing vouchers under Tribal HUD-VASH program.

Sec. 108. Contracting for HUD-VASH case managers.

Sec. 109. Report on HUD-VASH staffing, training, and data systems.

TITLE II—RETRAINING ASSISTANCE FOR VETERANS

Sec. 201. COVID–19 Veteran Rapid Retraining Assistance Program.

Sec. 202. Access for the Secretaries of Labor and Veterans Affairs to the Federal directory of new hires.
Sec. 203. Expansion of eligible class of providers of high technology programs of education for veterans.
Sec. 204. Pilot program for off-base transition training for veterans and spouses.
Sec. 205. Grants for provision of transition assistance to members of the Armed Forces after separation, retirement, or discharge.
Sec. 206. One-year independent assessment of the effectiveness of Transition Assistance Program.
Sec. 207. Longitudinal study on changes to TAP.
Sec. 208. Department of Veterans Affairs loan fees.

TITLE I—ASSISTANCE FOR HOMELESS VETERANS

SEC. 101. FLEXIBILITY FOR THE SECRETARY OF VETERANS AFFAIRS IN CARING FOR HOMELESS VETERANS DURING A COVERED PUBLIC HEALTH EMERGENCY.

(a) GENERAL SUPPORT.—

(1) USE OF FUNDS.—During a covered public health emergency, the Secretary of Veterans Affairs may use amounts appropriated or otherwise made available to the Department of Veterans Affairs to carry out sections 2011, 2012, 2031, and 2061 of title 38, United States Code, to provide to homeless veterans and veterans participating in the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (commonly referred to as ''HUD–VASH''), as the Secretary determines is needed, the following:

(A) Assistance required for safety and survival (such as food, shelter, clothing, blankets, and hygiene items).

(B) Transportation required to support stability and health (such as for appointments with service providers, conducting housing searches, and obtaining food and supplies).

(C) Communications equipment and services (such as tablets, smartphones, disposable phones, and related service plans) required to support stability and health (such as maintaining contact with service providers, prospective landlords, and family).

(D) Such other assistance as the Secretary determines is needed.

(2) HOMELESS VETERANS ON LAND OF THE DEPARTMENT.—

(A) COLLABORATION.—During a covered public health emergency, to the extent possible, the Secretary may collaborate with one or more organizations to manage use of land of the Department for homeless veterans for living and sleeping.

(B) ELEMENTS.—Collaboration under subparagraph (A) may include the provision by either the Secretary or the organization of food services and security for property, buildings, and other facilities owned or controlled by the Department.

(b) GRANT AND PER DIEM PROGRAM.—

(1) LIMITS ON RATES FOR PER DIEM PAYMENTS.—Section 20013(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) in the matter preceding subparagraph (A), as so redesignated, by inserting ''(1)'' before ''In the case''; and

(C) by adding at the end the following:

''(2) If the Secretary waives any limit on grant amounts or rates for per diem payments under paragraph (1), notwithstanding section 2012(a)(2)(B) of such title, the maximum rate for per diem payments described in paragraph (1)(B) shall be three times the rate authorized for State homes for domiciliary care under section 1741 of such title.''.

(2) USE OF PER DIEM PAYMENTS.—During a covered public health emergency, a recipient of a grant or an eligible entity under the grant and per diem program of the Department (in this subsection referred to as the ''program'') may use per diem payments under sections 2012 and 2061 of title 38, United States Code, to provide assistance required for safety and survival (such as food, shelter, clothing, blankets, and hygiene items) for—

(A) homeless veterans; and

(B) formerly homeless veterans residing in a facility operated wholly or in part by such a recipient or eligible entity receiving per diem payments under section 2012 of such title.

(3) ADDITIONAL TRANSITIONAL HOUSING.—

(A) IN GENERAL.—During a covered public health emergency, under the program, the Secretary may provide amounts for additional transitional housing beds to facilitate access to housing and services provided to homeless veterans.

(B) NOTICE; COMPETITION; PERIOD OF PERFORMANCE.—The Secretary may provide amounts under subparagraph (A)—

(i) without notice or competition; and

(ii) for a period of performance determined by the Secretary.

(4) INSPECTIONS AND LIFE SAFETY CODE REQUIREMENTS.—

(A) IN GENERAL.—During a covered public health emergency, the Secretary may waive any requirement under subsection (b) or (c) of section 2012 of title 38, United States Code, in order to allow the recipient of a grant or an eligible entity under the program—

(i) to quickly identify temporary alternate sites of care for homeless veterans that are suitable for habitation;

(ii) to facilitate social distancing or isolation needs; or

(iii) to facilitate activation or continuation of a program for which a grant has been awarded.

(B) LIMITATION.—The Secretary may waive a requirement pursuant to the authority provided by subparagraph (A) with respect to a facility of a recipient of a grant or an eligible entity under the program only if the facility meets applicable local safety requirements, including fire safety requirements.

(c) INSPECTION AND LIFE SAFETY CODE REQUIREMENTS FOR THERAPEUTIC HOUSING.—

(1) IN GENERAL.—During a covered public health emergency, the Secretary may waive any inspection or life safety code requirement under subsection (c) of section 2032 of title 38, United States Code—

(A) to allow quick identification of temporary alternate sites of care for homeless veterans that are suitable for habitation;

(B) to facilitate social distancing or isolation needs; or

(C) to facilitate the operation of housing under such section.

(2) LIMITATION.—The Secretary may waive a requirement pursuant to the authority provided by paragraph (1) with respect to a residence or facility referred to in such section 2032 only if the residence or facility, as the case may be, meets applicable local safety requirements, including fire safety requirements.

(d) ACCESS TO DEPARTMENT OF VETERANS AFFAIRS TELEHEALTH SERVICES.—To the extent practicable, during a covered public health emergency, the Secretary shall ensure that veterans participating in or receiving services from a program under chapter 20 of title 38, United States Code, have access to telehealth services to which such veterans are eligible under the laws administered by the Secretary, including by ensuring that telehealth capabilities are available to—

(1) such veterans;

(2) case managers of the Department of programs for homeless veterans authorized under such chapter; and

(3) community-based service providers for homeless veterans receiving funds from the Department through grants or contracts.

(e) DEFINITIONS.—In this section:

(1) COVERED PUBLIC HEALTH EMERGENCY.—The term ''covered public health emergency'' means an emergency with respect to COVID–19 declared by a Federal, State, or local authority.

(2) HOMELESS VETERAN; VETERAN.—The terms ''homeless veteran'' and ''veteran'' have the meanings given those terms in section 2002 of title 38, United States Code.

(3) TELEHEALTH.—

(A) IN GENERAL.—The term ''telehealth'' means the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education, public health, and health administration.

(B) TECHNOLOGIES.—For purposes of subparagraph (A), ''telecommunications technologies'' include video conferencing, the internet, streaming media, and terrestrial and wireless communications.

(f) EMERGENCY DESIGNATIONS.—

(1) IN GENERAL.—This section is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SEC. 102. EXPANSION OF ELIGIBILITY FOR HUD–VASH.

(a) HUD PROVISIONS.—Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following new subparagraph:

''(D) VETERAN DEFINED.—In this paragraph, the term 'veteran' has the meaning given that term in section 2002(b) of title 38, United States Code.''.

(b) VHA CASE MANAGERS.—Subsection (b) of section 2003 of title 38, United States Code, is amended by adding at the end the following: ''In the case of vouchers provided under the HUD–VASH program under section 8(o)(19) of such Act, for purposes of the preceding sentence, the term 'veteran' shall have the meaning given such term in section 2002(b) of this title.''.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Not less frequently than once each year, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the homelessness services provided under programs of the Department of Veterans Affairs, including services under the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (commonly referred to as ''HUD-VASH'').

(2) INCLUDED INFORMATION.—Each such annual report shall include, with respect to the year preceding the submittal of the report—

(A) a statement of the number of eligible individuals who were furnished such homelessness services;

(B) the number of individuals furnished such services under each such program, disaggregated by the number of men who received such services and the number of women who received such services; and

(C) such other information the Secretary determines appropriate.

SEC. 103. LEGAL SERVICES FOR HOMELESS VETERANS AND VETERANS AT RISK FOR HOMELESSNESS.

(a) IN GENERAL.—Chapter 20 of title 38, United States Code, is amended by inserting after section 2022 the following new section:

"§ 2022A. Legal services for homeless veterans and veterans at risk for homelessness

''(a) GRANTS.—Subject to the availability of appropriations provided for such purpose, the Secretary of Veterans Affairs shall make grants to eligible entities that provide legal services to homeless veterans and veterans at risk for homelessness.

''(b) CRITERIA.—(1) The Secretary shall—

''(A) establish criteria and requirements for grants under this section, including criteria for entities eligible to receive such grants; and

''(B) publish such criteria and requirements in the Federal Register.

''(2) In establishing criteria and requirements under paragraph (1), the Secretary shall—

''(A) take into consideration any criteria and requirements needed with respect to carrying out this section in rural communities, Tribal lands, and the territories and possessions of the United States; and

''(B) consult with organizations that have experience in providing services to homeless veterans, including veterans service organizations, the Equal Justice Works AmeriCorps Veterans Legal Corps, and other organizations the Secretary determines appropriate.

''(c) ELIGIBLE ENTITIES.—The Secretary may make a grant under this section to an entity applying for such a grant only if the applicant for the grant—

''(1) is a public or nonprofit private entity with the capacity (as determined by the Secretary) to effectively administer a grant under this section;

''(2) demonstrates that adequate financial support will be available to carry out the services for which the grant is sought consistent with the application;

''(3) agrees to meet the applicable criteria and requirements established under subsection (b)(1); and

''(4) has, as determined by the Secretary, demonstrated the capacity to meet such criteria and requirements.

''(d) USE OF FUNDS.—Grants under this section shall be used to provide homeless veterans and veterans at risk for homelessness the following legal services:

''(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

''(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

''(3) Legal services related to income support, including assistance in obtaining public benefits.

''(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

''(5) Legal services related to requests to upgrade the characterization of a discharge or dismissal of a former member of the Armed Forces under section 1553 of title 10.

''(6) Such other legal services as the Secretary determines appropriate.

''(e) FUNDS FOR WOMEN VETERANS.—For any fiscal year, not less than 10 percent of the amount authorized to be appropriated for grants under this section shall be used to provide legal services described in subsection (d) to women veterans.

''(f) LOCATIONS.—To the extent practicable, the Secretary shall make grants under this section to eligible entities in a manner that is equitably distributed across the geographic regions of the United States, including with respect to—

''(1) rural communities;

''(2) Tribal lands;

''(3) Native Americans; and

''(4) Tribal organizations.

''(g) REPORTS.—On a biennial basis, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on grants under this section. To the extent feasible, each such report shall include the following with respect to the year covered by the report:

''(1) The number of homeless veterans and veterans at risk for homelessness assisted.

''(2) A description of the legal services provided.

''(3) A description of the legal matters addressed.

''(4) An analysis by the Secretary with respect to the operational effectiveness and cost-effectiveness of the services provided.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2022 the following new item:

''2022A. Legal services for homeless veterans and veterans at risk for homelessness.''.

(c) CRITERIA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish the criteria and requirements in the Federal Register pursuant to subsection (b)(1) of section 2022A of title 38, United States Code, as added by subsection (a).

SEC. 104. GAP ANALYSIS OF DEPARTMENT OF VETERANS AFFAIRS PROGRAMS THAT PROVIDE ASSISTANCE TO WOMEN VETERANS WHO ARE HOMELESS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall complete an analysis of programs of the Department of Veterans Affairs that provide assistance to women veterans who are homeless or precariously housed to identify the areas in which such programs are failing to meet the needs of such women.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the analysis completed under subsection (a).

SEC. 105. IMPROVEMENTS TO GRANTS AND AGREEMENTS BETWEEN THE SECRETARY OF VETERANS AFFAIRS AND ENTITIES THAT PROVIDE SERVICES TO HOMELESS VETERANS.

(a) INCREASE IN PER DIEM PAYMENTS.—Subsection (a)(2)(B) of section 2012 of title 38, United States Code, is amended—

(1) by striking clause (i) and inserting the following:

''(i) Except as provided in clause (ii) or (iii) and subject to the availability of appropriations, the Secretary shall determine the rate under this paragraph, which—

''(I) may not—

''(aa) be lower than the amount in effect under this clause as in effect immediately preceding the enactment of the Dependable Employment and Living Improvements for Veterans Economic Recovery Act; or

''(bb) exceed the amount that is 115 percent of the rate authorized for State homes for domiciliary care under subsection (a)(1)(A) of section 1741 of this title, as the Secretary may increase from time to time under subsection (c) of that section; and

''(II) may be determined on the basis of locality.''; and

(2) by adding at the end the following new clause:

''(iii) With respect to a homeless veteran who has care of a minor dependent while receiving services from the grant recipient or eligible entity, the daily cost of care shall be the sum of the daily cost of care determined under subparagraph (A) plus, for each such minor dependent, an amount that equals 50 percent of such daily cost of care.''.

(b) REIMBURSEMENT OF CERTAIN FEES.—Such section is further amended by adding at the end the following new subsection:

''(e) REIMBURSEMENT OF ENTITIES FOR CERTAIN FEES.—The Secretary may reimburse the recipient of a grant under section 2011, 2012, 2013, or 2061 of this title for fees charged to that grant recipient for the use of the homeless management information system described in section 402 of the McKinney-Vento Homeless Assistance Act (Public Law 100–77; 42 U.S.C. 11630a)—

''(1) in amounts the Secretary determines to be reasonable; and

''(2) if the Secretary determines that the grant recipient is unable to obtain information contained in such system through other means and at no cost to the grant recipient.''.

SEC. 106. REPEAL OF SUNSET ON AUTHORITY TO CARRY OUT PROGRAM OF REFERRAL AND COUNSELING SERVICES FOR VETERANS AT RISK FOR HOMELESSNESS WHO ARE TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023 of title 38, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SECTION 107. COORDINATION OF CASE MANAGEMENT SERVICES FOR VETERANS RECEIVING HOUSING VOUCHERS UNDER TRIBAL HUD-VASH PROGRAM.

Section 2003 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c) MOU ON IHS ASSISTANCE.—The Secretary may enter into a memorandum of understanding with the Secretary of Health and Human Services under which case managers of the Indian Health Service may provide case management assistance to veterans who receive housing vouchers under the Tribal HUD-VASH program of the Department of Housing and Urban Development.''.

SEC. 108. CONTRACTING FOR HUD-VASH CASE MANAGERS.

(a) IN GENERAL.—Section 304 of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 38 U.S.C. 2041 note) is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' before ''The Secretary'';

(B) by adding at the end the following new paragraphs:

''(2)(A) Subject to subparagraphs (B) and (C), the director of a covered medical center shall seek to enter into a contract or agreement described in paragraph (1).

''(B) A contract or agreement under subparagraph (A) may require that a case manager employed by an eligible entity have credentials equivalent to those of a case manager of the Department.

''(C) The Secretary may waive the requirement under subparagraph (A) if the Secretary determines that fulfilling such requirement is infeasible. If the Secretary grants such a waiver, the Secretary shall submit, not later than 90 days after granting such waiver, to the Committees on Veterans' Affairs of the Senate and House of Representatives, a report containing—

''(i) an explanation of that determination;

''(ii) a plan to increase the number of case managers of the Department; and

''(iii) a plan for the covered medical center to increase use of such vouchers.

''(D) In this paragraph, the term 'covered medical center' means a medical center of the Department that the Secretary determines—

''(i) had more than 15 percent of all vouchers allocated to that medical center under the program described in paragraph (1) through the fiscal year preceding such determination go unused due to a lack of case management services provided by the Secretary; and

''(ii) has a case manager position that has been vacant for at least nine consecutive months immediately preceding the date of such determination.''; and

(2) in subsection (b)(2)—

(A) in the matter before subparagraph (A), by striking '', including because—'' and inserting a period; and

(B) by striking subparagraphs (A), (B), and (C).

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year to begin on or after the date of the enactment of this Act.

SEC. 109. REPORT ON HUD-VASH STAFFING, TRAINING, AND DATA SYSTEMS.

Not later than 180 days after the date of the enactment of this Act, and every three years thereafter, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report that includes the following:

(1) An assessment of the hiring needs of the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (commonly referred to as ''HUD-VASH''), including—

(A) identification of the number of HUD-VASH case managers as of the date of the report including—

(i) the total number of vacancies; and

(ii) the vacancies at each medical center of the Department of Veterans Affairs;

(B) the number of HUD-VASH case managers that the Secretaries of Veterans Affairs and Housing and Urban Development determine necessary to meet the needs of the Department and program; and

(C) the amount of turnover among HUD-VASH case managers and whether the turnover was planned or unexpected.

(2) An assessment of how compensation, including recruitment and retention incentives, for HUD-VASH case managers affects turnover, and what percentage of retention compensation is provided to case managers at each medical center of the Department of Veterans Affairs (compared to other positions).

(3) A comparison of compensation described in paragraph (2) with the compensation provided to State, local, and nongovernmental housing employees at comparable training and experience levels.

(4) Examples of how the Departments have worked with non-Federal partners (such as local governments, nongovernmental organizations, veterans service organizations, and employee unions) to meet the staffing needs of the HUD-VASH program.

(5) Examples of how medical centers of the Department of Veterans Affairs with high retention rates for HUD-VASH case managers have been able to maintain their staffing levels.

TITLE II—RETRAINING ASSISTANCE FOR VETERANS

SEC. 201. COVID–19 VETERAN RAPID RETRAINING ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a program under which the Secretary shall provide up to 12 months of retraining assistance to an eligible veteran for the pursuit of a covered program of education. Such retraining assistance shall be in addition to any other entitlement to educational assistance or benefits for which a veteran is, or has been, eligible.

(b) ELIGIBLE VETERANS.—

(1) IN GENERAL.—For purposes of this section, the term ''eligible veteran'' means a veteran who—

(A) as of the date of the receipt by the Department of Veterans Affairs of the application for assistance under this section, is at least 22 years of age but not more than 66 years of age;

(B) as of such date, is unemployed by reason of the covered public health emergency, as certified by the veteran;

(C) as of such date, is not eligible to receive educational assistance under chapter 30, 31, 32, 33, or 35 of title 38, United States Code, or chapter 1606 of title 10, United States Code;

(D) is not enrolled in any Federal or State jobs program;

(E) is not in receipt of compensation for a service-connected disability rated totally disabling by reason of unemployability; and

(F) will not be in receipt of unemployment compensation (as defined in section 85(b) of the Internal Revenue Code of 1986), including any cash benefit received pursuant to subtitle A of title II of division A of the CARES Act (Public Law 116–136), as of the first day on which the veteran would receive a housing stipend payment under this section.

(2) TREATMENT OF VETERANS WHO TRANSFER ENTITLEMENT.—For purposes of paragraph (1)(C), a veteran who has transferred all of the veteran's entitlement to educational assistance under section 3319 of title 38, United States Code, shall be considered to be a veteran who is not eligible to receive educational assistance under chapter 33 of such title.

(3) FAILURE TO COMPLETE.—A veteran who receives retraining assistance under this section to pursue a program of education and who fails to complete the program of education shall not be eligible to receive additional assistance under this section.

(c) COVERED PROGRAMS OF EDUCATION.—

(1) IN GENERAL.—For purposes of this section, a covered program of education is a program of education (as such term is defined in section 3452(b) of title 38, United States Code) for training, pursued on a full-time or part-time basis—

(A) that—

(i) is approved under chapter 36 of such title;

(ii) does not lead to a bachelors or graduate degree; and

(iii) is designed to provide training for a high-demand occupation, as determined under paragraph (3); or

(B) that is a high technology program of education offered by a qualified provider, under the meaning given such terms in section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3001 note).

(2) ACCREDITED PROGRAMS.—In the case of an accredited program of education, the program of education shall not be considered a covered program of education under this section if the program has received a show cause order from the accreditor of the program during the five-year period preceding the date of the enactment of this Act.

(3) DETERMINATION OF HIGH-DEMAND OCCUPATIONS.—

(A) INITIAL IMPLEMENTATION.—In carrying out this section, the Secretary shall use the list of high-demand occupations compiled by the Commissioner of Labor Statistics until the final list under subparagraph (C) is complete.

(B) STUDY REQUIRED.—The Secretary of Veterans Affairs shall enter into an agreement with a federally funded research and development corporation or another appropriate non-Department entity for the conduct of a study to determine which occupations are high-demand occupations. Such study shall be completed not later than 90 days after the date of the enactment of this Act.

(C) FINAL LIST.—The Secretary—

(i) may add or remove occupation from the list in use pursuant to subparagraph (A) during the 90-day period following the completion of the study required by subparagraph (B);

(ii) shall issue a final list of high-demand occupations for use under this section by not later than 90 days after the date of the completion of the study; and

(iii) shall make such final list publicly available on a website of the Department.

(D) USE OF LIST.—The Secretary shall use the list developed under this paragraph in order to apply the requirement that retraining assistance under this section is used for training for a high-demand occupation, but the Secretary may remove occupations from the list as the Secretary determines appropriate.

(4) FULL-TIME DEFINED.—For purposes of this subsection, the term ''full-time'' has the meaning given such term under section 3688 of title 38, United States Code.

(d) AMOUNT OF ASSISTANCE.—

(1) RETRAINING ASSISTANCE.—The Secretary of Veterans Affairs shall provide to an eligible veteran pursuing a covered program of education under the retraining assistance program under this section an amount equal to the amount of educational assistance payable under section 3313(c)(1)(A) of title 38, United States Code, for each month the veteran pursues the covered program of education. Such amount shall be payable directly to the educational institution offering the covered program of education pursued by the veteran as follows:

(A) 50 percent of the total amount payable shall be paid when the eligible veteran begins the program of education.

(B) 25 percent of the total amount payable shall be paid when the eligible veteran completes the program of education.

(C) 25 percent of the total amount payable shall be paid when the eligible veteran finds employment in a field related to the program of education.

(2) FAILURE TO COMPLETE.—

(A) PRO-RATED PAYMENTS.—In the case of a veteran who pursues a covered program of education under the retraining assistance program under this section, but who does not complete the program of education, the Secretary shall pay to the educational institution offering such program of education a pro-rated amount based on the number of months the veteran pursued the program of education in accordance with this paragraph.

(B) PAYMENT OTHERWISE DUE UPON COMPLETION OF PROGRAM.—The Secretary shall pay to the educational institution a pro-rated amount under paragraph (1)(B) when the veteran provides notice to the educational institution that the veteran no longer intends to pursue the program of education.

(C) NONRECOVERY FROM VETERAN.—In the case of a veteran referred to in subparagraph (A), the educational institution may not seek payment from the veteran for any amount that would have been payable under paragraph (1)(B) had the veteran completed the program of education.

(D) PAYMENT DUE UPON EMPLOYMENT.—

(i) VETERANS WHO FIND EMPLOYMENT.—In the case of a veteran referred to in subparagraph (A) who finds employment in a field related to the program of education during the 180-day period beginning on the date on which the veteran withdraws from the program of education, the Secretary shall pay to the educational institution a pro-rated amount under paragraph (1)(C) when the veteran finds such employment.

(ii) VETERANS WHO DO NOT FIND EMPLOYMENT.—In the case of a veteran referred to in subparagraph (A) who does not find employment in a field related to the program of education during the 180-day period beginning on the date on which the veteran withdraws from the program of education—

(I) the Secretary shall not make a payment to the educational institution under paragraph (1)(C); and

(II) the educational institution may not seek payment from the veteran for any amount that would have been payable under paragraph (1)(C) had the veteran found employment during such 180-day period.

(3) HOUSING STIPEND.—For each month that an eligible veteran pursues a covered program of education under the retraining assistance program under this section, the Secretary shall pay to the veteran a monthly housing stipend in an amount equal to—

(A) in the case of a covered program of education leading to a degree, or a covered program of education not leading to a degree, at an institution of higher learning (as that term is defined in section 3452(f) of title 38, United States Code) pursued on more than a half-time basis, the amount specified under subsection (c)(1)(B) of section 3313 of title 38, United States Code;

(B) in the case of a covered program of education other than a program of education leading to a degree at an institution other than an institution of higher learning pursued on more than a half-time basis, the amount specified under subsection (g)(3)(A)(ii) of such section; or

(C) in the case of a covered program of education pursued on less than a half-time basis, or a covered program of education pursued solely through distance learning on more than a half-time basis, the amount specified under subsection (c)(1)(B)(iii) of such section.

(4) FAILURE TO FIND EMPLOYMENT.—The Secretary shall not make a payment under paragraph (1)(C) with respect to an eligible veteran who completes or fails to complete a program of education under the retraining assistance program under this section if the veteran fails to find employment in a field related to the program of education within the 180-period beginning on the date on which the veteran withdraws from or completes the program.

(e) NO TRANSFERABILITY.—Retraining assistance provided under this section may not be transferred to another individual.

(f) EMPLOYMENT ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Labor shall contact each veteran who pursues a covered program of education under this section—

(A) not later than 30 days after the date on which the veteran begins the program of education to notify the veteran of the availability of employment placement services upon completion of the program; and

(B) not later than 14 days after the date on which the veteran completes, or terminates participation in, such program to facilitate the provision of employment placement services to such veteran.

(2) PROVISION OF INFORMATION.—The Secretary of Veterans Affairs shall provide to the Secretary of Labor such information as may be necessary to carry out paragraph (1).

(g) NONPROFIT ORGANIZATION.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall seek to enter into a memorandum of understanding with one or more qualified nonprofit organizations for the purpose of facilitating the employment of veterans who participate in the retraining assistance program under this section.

(2) QUALIFIED NONPROFIT ORGANIZATION.—For purposes of this subsection, a qualified nonprofit organization is a nonprofit organization that—

(A) is an association of businesses; and

(B) has at least two years of experience providing job placement services for veterans.

(h) FOLLOW UP OUTREACH.—The Secretary of Veterans Affairs, in coordination with the Secretary of Labor shall contact each veteran who completes a covered program of education under the retraining assistance program under this section 30, 60, 90, and 180 days after the veteran completes such program of education to ask the veteran about the experience of the veteran in the retraining assistance program and the veteran's employment status.

(i) QUARTERLY REPORTS.—Not later than the date that is one year after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Labor shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report containing the following information about veterans who participate in the retraining assistance program under this section:

(1) The percentage of such veterans who found employment before the end of the second calendar quarter after exiting the program.

(2) The percentage of such veterans who found employment before the end of the fourth calendar quarter after exiting the program.

(3) The median earnings of all such veterans for the second quarter after exiting the program.

(4) The percentage of such veterans who attain a recognized postsecondary credential during the 12-month period after exiting the program.

(j) LIMITATION.—Not more than 17,250 eligible veterans may receive retraining assistance under this section.

(k) TERMINATION.—No retraining assistance may be paid under this section after the date that is 21 months after the date of the enactment of this Act.

(l) GAO REPORT.—Not later than 180 days after the termination of the retraining assistance program under subsection (k), the Comptroller General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the outcomes and effectiveness of the program.

(m) DEFINITIONS.—In this section:

(1) The term ''covered public health emergency'' means the declaration—

(A) of a public health emergency, based on an outbreak of COVID–19 by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

(B) of a domestic emergency, based on an outbreak of COVID–19 by the President, the Secretary of Homeland Security, or State, or local authority.

(2) The term ''veteran'' means—

(A) a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable; or

(B) a member of a reserve component of the Armed Forces who performs active service for a period of 30 days or longer by reason of the covered public health emergency.

(3) The term ''active service'' has the meaning given such term in section 101 of title 10, United States Code.

(n) FUNDING.—

(1) IN GENERAL.—For each fiscal year for which the Secretary provides retraining assistance under this section, such sums as may be necessary shall be made available for such assistance from funds appropriated to, or otherwise made available to, the Department for the payment of readjustment benefits.

(2) ADMINISTRATIVE COSTS.—There is authorized to be appropriated $15,000,000 to carry out administrative functions of this section.

(o) INITIATION OF PAYMENTS.—The Secretary may begin providing retraining assistance under this section on the date that is 180 days after the date of the enactment of this Act.

SEC. 202. ACCESS FOR THE SECRETARIES OF LABOR AND VETERANS AFFAIRS TO THE FEDERAL DIRECTORY OF NEW HIRES.

Section 453A(h) of the Social Security Act (42 U.S.C. 653a(h)) is amended by adding at the end the following new paragraph:

''(4) VETERAN EMPLOYMENT.—The Secretaries of Labor and of Veterans Affairs shall have access to information reported by employers pursuant to subsection (b) of this section for purposes of tracking employment of veterans.''.

SEC. 203. EXPANSION OF ELIGIBLE CLASS OF PROVIDERS OF HIGH TECHNOLOGY PROGRAMS OF EDUCATION FOR VETERANS.

Section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3001 note) is amended—

(1) in subsection (b), by adding at the end the following: ''The Secretary shall treat an individual as an eligible veteran if the Secretary determines that the individual shall become an eligible veteran fewer than 180 days after the date of such determination. If an individual treated as an eligible veteran by reason of the preceding sentence does anything to make the veteran ineligible during the 180-day period referred to in such sentence, the Secretary may require the veteran to repay any benefits received by such veteran by reason of such sentence.'';

(2) in subsection (c)—

(A) in paragraph (3)(A), by striking ''has been operational for at least 2 years'' and inserting ''employs instructors whom the Secretary determines are experts in their respective fields in accordance with paragraph (6)''; and

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

''(6) EXPERTS.—The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

''(A) identify professions in need of new employees to hire, tailor the programs to meet market needs, and identify the employers likely to hire graduates;

''(B) effectively teach the skills offered to eligible veterans;

''(C) provide relevant industry experience in the fields of programs offered to incoming eligible veterans; and

''(D) demonstrate relevant industry experience in such fields of programs.'';

(3) in subsection (d), in the matter preceding paragraph (1)—

(A) by inserting ''(not including an individual described in the second sentence of subsection (b))'' after ''each eligible veteran''; and

(B) by inserting ''or part-time'' after ''full-time'';

(4) in subsection (g), by striking ''$15,000,000'' and inserting ''$45,000,000''; and

(5) by adding at the end the following new subsection (i):

''(i) PROHIBITION ON CERTAIN ACCOUNTING OF ASSISTANCE.—The Secretary may not consider enrollment in a high technology program of education under this section to be assistance under a provision of law referred to in section 3695 of title 38, United States Code.''.

SEC. 204. PILOT PROGRAM FOR OFF-BASE TRANSITION TRAINING FOR VETERANS AND SPOUSES.

(a) EXTENSION OF PILOT PROGRAM.—Subsection (a) of section 301 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 10 U.S.C. 1144 note) is amended—

(1) by striking ''During the two-year period beginning on the date of the enactment of this Act'' and inserting ''During the 5-year period beginning on the date of the enactment of the Dependable Employment and Living Improvements for Veterans Economic Recovery Act''; and

(2) by striking ''to assess the feasibility and advisability of providing such program to eligible individuals at locations other than military installations''.

(b) LOCATIONS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking ''not less than three and not more than five States'' and inserting ''not fewer than 50 locations in States (as defined in section 101 of title 38, United States Code)'';

(2) in paragraph (2), by striking ''at least two'' and inserting ''at least 20''; and

(3) by adding at the end the following new paragraphs:

''(5) PREFERENCES.—In selecting States for participation in the pilot program, the Secretary shall provide a preference for any State with—

''(A) a high rate of usage of unemployment benefits for recently separated members of the Armed Forces; or

''(B) a labor force or economy that has been significantly impacted by the covered public health emergency.

''(6) COVERED PUBLIC HEALTH EMERGENCY.—In this subsection, the term 'covered public health emergency' means the declaration—

''(A) of a public health emergency, based on an outbreak of COVID–19 by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

''(B) of a domestic emergency, based on an outbreak of COVID–19 by the President, the Secretary of Homeland Security, or State, or local authority.''.

(c) ANNUAL REPORT.—Subsection (e) of such section is amended by adding at the end the following new sentence: ''Each such report shall include information about the employment outcomes of the eligible individuals who received such training during the year covered by the report.''.

(d) CONFORMING REPEAL.—Subsection (f) of such section is repealed.

SEC. 205. GRANTS FOR PROVISION OF TRANSITION ASSISTANCE TO MEMBERS OF THE ARMED FORCES AFTER SEPARATION, RETIREMENT, OR DISCHARGE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall make grants to eligible organizations for the provision of transition assistance to members of the Armed Forces who are separated, retired, or discharged from the Armed Forces, and spouses of such members.

(b) USE OF FUNDS.—The recipient of a grant under this section shall use the grant to provide to members of the Armed Forces and spouses described in subsection (a) resume assistance, interview training, job recruitment training, and related services leading directly to successful transition, as determined by the Secretary.

(c) ELIGIBLE ORGANIZATIONS.—To be eligible for a grant under this section, an organization shall submit to the Secretary an application containing such information and assurances as the Secretary, in consultation with the Secretary of Labor, may require.

(d) PRIORITY.—In making grants under this section, the Secretary shall give priority to an organization that—

(1) provides multiple forms of services described in subsection (b); or

(2) is located in a State with—

(A) a high rate of veteran unemployment;

(B) a high rate of usage of unemployment benefits for recently separated members of the Armed Forces; or

(C) a labor force or economy that has been significantly impacted by the covered public health emergency (as such term is defined in section 201(1)(1)).

(e) AMOUNT OF GRANT.—A grant under this section shall be in an amount that does not exceed 50 percent of the amount required by the organization to provide the services described in subsection (b).

(f) DEADLINE.—The Secretary shall carry out this section not later than six months after the effective date of this Act.

(g) TERMINATION.—The authority to provide a grant under this section shall terminate on the date that is five years after the date on which the Secretary implements the grant program under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 206. ONE-YEAR INDEPENDENT ASSESSMENT OF THE EFFECTIVENESS OF TRANSITION ASSISTANCE PROGRAM.

(a) INDEPENDENT ASSESSMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the covered officials, shall enter into an agreement with an appropriate entity with experience in adult education to carry out a one-year independent assessment of the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code (in this section referred to as ''TAP''), including—

(1) the effectiveness of TAP for members of each military department during the entire military life cycle;

(2) the appropriateness of the TAP career readiness standards;

(3) a review of information that is provided to the Department of Veterans Affairs under TAP, including mental health data;

(4) whether TAP effectively addresses the challenges veterans face entering the civilian workforce and in translating experience and skills from military service to the job market;

(5) whether TAP effectively addresses the challenges faced by the families of veterans making the transition to civilian life;

(6) appropriate metrics regarding TAP outcomes for members of the Armed Forces one year after separation, retirement, or discharge from the Armed Forces;

(7) what the Secretary, in consultation with the covered officials and veterans service organizations determine to be successful outcomes for TAP;

(8) whether members of the Armed Forces achieve successful outcomes for TAP, as determined under paragraph (7);

(9) how the Secretary and the covered officials provide feedback to each other regarding such outcomes;

(10) recommendations for the Secretaries of the military departments regarding how to improve outcomes for members of the Armed Forces after separation, retirement, and discharge; and

(11) other topics the Secretary and the covered officials determine would aid members of the Armed Forces as they transition to civilian life.

(b) REPORT.—Not later than 90 days after the completion of the independent assessment under subsection (a), the Secretary and the covered officials, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives—

(1) the findings and recommendations (including recommended legislation) of the independent assessment prepared by the entity described in subsection (a); and

(2) responses of the Secretary and the covered officials to the findings and recommendations described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term ''covered officials'' means—

(A) the Secretary of Defense;

(B) the Secretary of Labor;

(C) the Administrator of the Small Business Administration; and

(D) the Secretaries of the military departments.

(2) The term ''military department'' has the meaning given that term in section 101 of title 10, United States Code.

SEC. 207. LONGITUDINAL STUDY ON CHANGES TO TAP.

(a) STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretaries of Defense and Labor and the Administrator of the Small Business Administration, shall conduct a five-year longitudinal study regarding the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code (in this section referred to as ''TAP''), on three separate cohorts of members of the Armed Forces who have separated from the Armed Forces, including—

(1) a cohort that has attended TAP counseling as implemented on the date of the enactment of this Act;

(2) a cohort that attends TAP counseling after the Secretaries of Defense and Labor implement changes recommended in the report under section 206(b); and

(3) a cohort that has not attended TAP counseling.

(b) PROGRESS REPORTS.—Not later than 90 days after the date that is one year after the date of the initiation of the study under subsection (a) and annually thereafter for the three subsequent years, the Secretaries of Veterans Affairs, Defense, and Labor, and the Administrator of the Small Business Administration, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives a progress report of activities under the study during the immediately preceding year.

(c) FINAL REPORT.—Not later than 180 days after the completion of the study under subsection (a), the Secretaries of Veterans Affairs, Defense, and Labor, and the Administrator of the Small Business Administration, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives a report of final findings and recommendations based on the study.

(d) ELEMENTS.—The final report under subsection (c) shall include information regarding the following:

(1) The percentage of each cohort that received unemployment benefits during the study.

(2) The numbers of months members of each cohort were employed during the study.

(3) Annual starting and ending salaries of members of each cohort who were employed during the study.

(4) How many members of each cohort enrolled in an institution of higher learning, as that term is defined in section 3452(f) of title 38, United States Code.

(5) The academic credit hours, degrees, and certificates obtained by members of each cohort during the study.

(6) The annual income of members of each cohort.

(7) The total household income of members of each cohort.

(8) How many members of each cohort own their principal residences.

(9) How many dependents that members of each cohort have.

(10) The percentage of each cohort that achieves a successful outcome for TAP, as determined under section 206(a)(7).

(11) Other criteria the Secretaries and the Administrator of the Small Business Administration determine appropriate.

SEC. 208. DEPARTMENT OF VETERANS AFFAIRS LOAN FEES.

The loan fee table in section 3729(b)(2) of title 38, United States Code, is amended by striking subparagraph (E) and inserting the following:

(E)(i) Interest rate reduction refinancing loan issued before January 1, 2021	0.50	0.50	NA
(E)(ii) Interest rate reduction refinancing loan issued on or after January 1, 2021, and before January 15, 2027	0.85	0.85	NA
(E)(iii) Interest rate reduction refinancing loan issued on or after January 15, 2027	0.50	0.50	NA

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 7105, as amended.

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

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 7105, as amended, the DELIVER Act.

H.R. 7105, as amended, was introduced by Representative MIKE LEVIN, chairman of the Subcommittee on Economic Opportunity, in June of this year. But the package before us encompasses many of the issues his subcommittee has worked on to reduce homelessness and improve employment opportunities for veterans.

This bipartisan package encompasses seven bipartisan, bicameral pieces of legislation to improve the lives of veterans experiencing hardships.

First, section 101 of this package includes Chairman LEVIN's Homeless Veterans Coronavirus Response Act. This section includes temporary authorities for the Department of Veterans Affairs to effectively assist veterans during this difficult time.

Madam Speaker, that means giving VA the ability to serve more meals and providing blankets, clothing, basic hygiene products, and permanent and temporary shelter to veterans experiencing homelessness.

The section also allows VA flexibility to more quickly pay out grant and per diem payments. This means housing more veterans more quickly.

Finally, Mr. LEVIN's bill authorizes VA to use resources to contract healthcare services for veterans in the Health Care for Homeless Veterans, or HCHV, program during a public health emergency.

□ 1315

These are crucial improvements that VA has asked for, and we stand with them to deliver this assistance.

Now, section 102 of this legislation represents H.R. 2398 from Representative SCOTT PETERS. His Veteran HOUSE Act would finally expand HUD-VASH to cover veterans with other-than-honorable discharges.

Veterans with other-than-honorable discharges make up 3 percent of the population, but they compose 15 percent of the homeless veteran population. There is no question that this commonsense expansion of the program would mean fewer homeless veterans, and I thank Representative PETERS for his tireless work on this section.

Now, included in section 103 of the bill is H.R. 3749, Representative PANETTA's Legal Services for Homeless Veterans Act. This would authorize VA to provide grants or enter into cooperative agreements with eligible entities that provide legal services to homeless veterans and veterans at risk for homelessness.

Madam Speaker, according to community organizations, legal services are one of the top unmet needs for homeless veterans. Under this section, VA would be required to consult with organizations that have experience providing services to homeless veterans when establishing these criteria and requirements, and these grants or cooperative agreements would only be available to highly rated public or nonprofit entities.

Additionally, Representative WILD has included legislation to ensure that at least 10 percent of the funds made available each fiscal year for this grant program must be reserved for providing legal services to homeless women veterans.

As we know, women veterans are the fastest growing population of homeless veterans, and I thank Representative PANETTA and Representative WILD for their work on this section.

Section 104 of the underlying bill includes Representative BEATTY's legislation to carry out a gap analysis study to determine if VA programs are properly serving homeless women veterans.

Section 105 of the legislation represents bipartisan legislation just introduced by Minority Leader MCCARTHY and Chairman LEVIN. Their legislation, the Reducing Veteran Homelessness Act, would encourage VA to contract out vacant HUD-VASH caseworker positions, increase the grant per diem rates, and allow grant per diem participants to gain access to the homeless management information systems. This will make our community providers more effective at delivering for their communities.

Section 105 also includes Representative BROWNLEY's Homeless Veteran Families Act.

Many homeless veterans with children are unable to obtain transitional housing and support assistance through the program because providers only receive payments from the VA for the veteran, not their minor dependents. This section would authorize VA to pay a partial per diem to GPD providers supporting our Nation's homeless veterans with children.

Finally, this legislation would also have VA more accurately track HUD-

VASH case manager vacancies and help Congress determine how to more effectively keep the program staffed so that it may most effectively serve our Nation's veterans.

Sections 201 through 203 represent Ranking Member ROE and Chairman LEVIN's Rapid Retraining Assistance Program for Veterans. Now, this program will train 7,500 veterans who have been economically impacted by COVID–19, putting their skills and knowledge back to work in our economy.

We have a commitment to our Nation's veterans to support them regardless of the challenges they face. COVID–19 is no different, and I am pleased that we were able to find a way to pass concrete employment measures for our Nation's veterans.

Last but certainly not least, sections 204 through 207 represent Chairman LEVIN's Navy SEAL Chief Petty Officer William ''Bill'' Mulder, Retired, Transition Improvement Act.

This section would make much-needed improvements to our servicemembers' transition process, including more accessible transition sites and providing grants for organizations to assist with resume assistance, interview training, and job recruitment training.

All told, this is one of the most meaningful pieces of legislation dealing with economic hardship we will have a chance to consider, and I am grateful to the countless Members of Congress for their hard work to make it a reality.

Our time here is short, so we call on our colleagues in the Senate, who have also worked on many of these provisions, to send this bill to the President before we finish our work this year.

Madam Speaker, I encourage all my colleagues to join me in voting for H.R. 7105, as amended.

Madam Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise today in support of H.R. 7105, as amended, the Dependable Employment and Living Improvements for Veterans Economic Recovery, or DELIVER, Act.

This bill would help veterans who are homeless, provide needed job training and education benefits to veterans who are unemployed, and support veterans who are transitioning out of the military and into civilian life.

It would contain provisions that help homeless veteran service providers meet the increasing demands associated with the COVID–19 pandemic, provide additional flexibility to fund services for homeless veterans with children, authorize grant funding for legal services for homeless veterans, and assist incarcerated veterans who are leaving the criminal justice system.

This bill also contains the text of numerous other bills that have been sponsored by Members on both sides of the aisle to better support those who have served.

It contains the text of H.R. 8275, the Reducing Veteran Homeless Act of 2020, which is sponsored by Republican Leader KEVIN MCCARTHY of California and Congressman MIKE LEVIN of California, the chairman of the Subcommittee of Economic Opportunity, to increase funding for transitional housing providers and improve case management in the Department of Housing and Urban Development—Department of Veterans Affairs Supportive Housing, or the HUD-VASH program, which we have used in my district numerous times. These efforts would help connect homeless veterans with stable housing and get them back on their own two feet.

Madam Speaker, I am grateful to Leader MCCARTHY and Congressman LEVIN for bringing these important issues to our attention and working to address them.

The DELIVER Act also contains another bill that was introduced by Republican Leader MCCARTHY, H.R. 5766, the VET TEC Expansion Act.

The VET TEC program was created by Leader MCCARTHY in the Forever GI Bill in 2017 to support veterans pursuing careers in the technology sector by providing them with tuition and a living stipend as they complete their training.

The VET TEC program is very popular among veterans, with over 1,100 of them completing the program and many already finding jobs with an average starting salary of $60,000 per year. That is money well invested when you have veterans getting those kinds of jobs.

The VET TEC Expansion Act would help streamline processes and authorize additional funding for the VET TEC program so that even more veterans can benefit from it.

Madam Speaker, I once again thank Republican Leader MCCARTHY, who is a champion for our Nation's servicemembers and veterans and never fails to support efforts for them to succeed, for his work on this bill.

Madam Speaker, the DELIVER Act also contains two provisions that are named for Navy SEAL Chief Petty Officer William ''Bill'' Mulder, who tragically died by suicide in 2017 after years of honorable service to our country.

The first is H.R. 7111, which I was pleased to introduce this summer with Congressman LEVIN and Senators JERRY MORAN of Kansas and JON TESTER of Montana, the chairman and ranking member of the Senate Committee on Veterans' Affairs.

As we work to restore the record-breaking economy we had in place before COVID–19, we must do all we can to prepare unemployed veterans for success in the new post-pandemic economy. My bill would do that by authorizing a rapid retraining program for veterans who find themselves unemployed as a result of COVID–19.

Last month, it was estimated that there are 560,000 unemployed veterans in this country. The retraining program my bill would create would put those veterans back on track to compete for gainful, long-term employment opportunities.

The second provision named after Navy SEAL Chief Petty Officer William ''Bill'' Mulder is H.R. 2326, as amended, which was introduced by my friend Congressman LEVIN and my friends Congressman BILIRAKIS from Florida and Congressman JODEY ARRINGTON from Texas, who are, respectively, the current and former Republican leaders of the Subcommittee on Economic Opportunity.

Their bill, which passed the House earlier this summer, would improve servicemembers' transition to civilian life by authorizing a review of the curriculum of the Transition Assistance Program, or TAP program, and authorizing TAP at off-base locations and providing grant funds to community organizations that help servicemembers as they transition.

This bill is a culmination of the work the Subcommittee on Economic Opportunity started last Congress to improve TAP.

Madam Speaker, I am grateful to Congressmen LEVIN, BILIRAKIS, and ARRINGTON for their continued work to support those transitioning out of the military and for including their bill in the DELIVER Act today.

Madam Speaker, I also thank the National Coalition for Homeless Veterans for their help in crafting the homeless veteran provisions in this bill and the numerous military and veteran service organizations that helped advocate for the employment, education, and transition provisions in the bill. Their steadfast advocacy is critical to getting veterans into safe, stable homes and back to work, and I am grateful to them for their strong partnership that we have fostered in my nearly 12 years in Congress.

Madam Speaker, I encourage all Members to support the DELIVER Act today, and I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. LEVIN), my good friend and the chairman of the Subcommittee on Economic Opportunity, who is also the author of this impressive, comprehensive H.R. 7105.

Mr. LEVIN of California. Madam Speaker, I thank Chairman TAKANO for yielding.

As chair of the House Committee on Veterans' Affairs' Subcommittee on Economic Opportunity, and as a Representative for tens of thousands of veterans around Marine Corps Base Camp Pendleton, I strongly believe that we have got to do more to support those who have served our country. We can't allow men and women who have served to fall into homelessness, end up without a job, or go without the basic services that they deserve.

Today, we are taking a significant step in making sure veterans are no

longer left behind. I am so proud to lead the DELIVER Act, a robust, action-forward package to help get our veterans back on their feet. The legislation includes six of my bipartisan bills to help get veterans the housing and employment opportunities they deserve.

It includes the Homeless Veteran Coronavirus Response Act, a bill I introduced with my friend, Representative GUS BILIRAKIS—I don't see Gus here, but I am grateful to him—to expand and strengthen VA services to homeless veterans during the COVID–19 pandemic.

It includes the Veteran HOUSE Act, a bill I co-led with my friend Representative SCOTT PETERS, also from San Diego, to expand the HUD-VASH program to homeless veterans discharged under conditions other than honorable.

It includes the Reducing Veteran Homelessness Act, a bill I introduced with Republican Leader KEVIN MCCARTHY to ensure that homeless veterans and their families receive the resources and services they deserve by filling gaps in the HUD-VASH case management system.

It includes the Housing for Women Veterans Act, a bill I introduced with Representative FITZPATRICK to require the VA to complete an analysis of its programs that provide assistance to women veterans who are homeless to identify the areas in which such programs are failing to meet their needs.

It includes the Veterans Economic Recovery Act, a bill I introduced with Ranking Member ROE.

And we are all going to miss Dr. ROE. We are grateful for all that he does.

That bill will, as Dr. ROE just said, create a rapid retraining program for unemployed veterans and reservists.

And it includes the Chief Petty Officer William ''Bill'' Mulder Transition Improvement Act, a bill I introduced with my friend Representative ARRINGTON to make the transition process easier for servicemembers returning to civilian life.

I have said it before, and I will say it again: Even one homeless veteran is one too many.

□ 1330

We have a moral obligation to make robust Federal investments in programs to help get veterans off the street, and we have got to do a better job of ensuring that our Nation's heroes have the housing assistance and services they need. Each of the bills that we have talked about today will make a real difference for the veterans I serve and countless others across the country.

You hear a lot about how things in Washington are broken and how we can't get a lot done around here, but I am very proud of the bipartisan progress we have made today for our veterans. I am hopeful the Senate will take the bill up quickly and get it on the President's desk.

I am just so grateful to everybody that has been involved, both the Members and their staff. It was really a wonderful, bipartisan, bicameral effort.

I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ARRINGTON), a former member of the Veterans' Affairs Committee who I had the privilege of visiting in his district and I know his commitment to our veterans.

Mr. ARRINGTON. Madam Speaker, for the record, it is my friend, PHIL ROE, who likes to say that there would be no Texas if there weren't a Tennessee. I have to say that in his honor, and then I will have to defend my honor now when I go back to Texas. That is my gift to the gentleman as he departs.

He is a distinguished gentleman and statesman and an effective leader for our Nation and for our veterans. I thank the gentleman for that from the bottom of my heart.

I thank Chairman TAKANO for his camaraderie and our common cause of serving the veterans. We served together when I was in my first term on the VA Committee, and he has a passion for our veterans. While we may disagree about things from time to time, I respect that about the gentleman and I wish him all the best success as we try to do right by those men and women who gave up their today so we could have our tomorrow.

Now, to Chairman LEVIN, nothing would honor me more than to honor the Mulder family and my friend Bill Mulder. And for the gentleman to allow us to carry his name forward, representative of the men and women who have served and who have returned with honor but with wounds that you can't see and that end up taking their lives and taking so much from this country because they have so much more to offer, I thank the gentleman.

We need to recognize when things are working around here, and I will say that any time we can govern for this great country and we can do the right thing and put our country first, I will commend anybody any day and all day.

So God bless you gentlemen for your leadership.

Madam Speaker, I rise in support of H.R. 7105, a package that includes legislation that I, along with Chairman LEVIN, introduced to honor Navy SEAL Chief Petty Officer Bill Mulder. This legislation aims to improve the VA's transition assistance program to help our Nation's servicemembers successfully reintegrate back into civilian life when they return home from serving our Nation.

Bill Mulder was a friend, a leader, and an American hero who, as I mentioned, due to the invisible wounds that often plague our soldiers when they return, tragically ended his own life just a few months after retiring from serving our Nation with distinction.

Our veterans face unique challenges when they return home and if we can do a better job on the front end, engaging them earlier and providing them the education, training, equipping them to reintegrate so that we can, on the back end, prevent the struggles with addiction, unemployment, homelessness, suicide, that is the goal here. Those are things that disproportionately affect our veterans and we can do something about it, and I believe this legislation will address that in a meaningful way.

As we recognize September as National Suicide Prevention Awareness Month, I can think of no other cause more worthy for our support in this great body than helping our veterans transition to a more productive and healthy and fulfilling civilian life after they sacrificed so much for our country.

By the way, I can't think of a better way to honor Bill Mulder and those just like him. So I stand in support.

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

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield the gentleman from Texas an additional 1 minute.

Mr. ARRINGTON. Madam Speaker, I almost rushed the most important part. This is not only a cause worthy of our support as a Congress, but it will honor men and women just like Bill Mulder. I believe if we do it right, and if the VA and the Defense Department actually implement it right—that is the next big hurdle—then we will save lives.

And that is why we got into this gig, right? We want to make a difference. We want to help our fellow Americans. We want to save lives.

Mr. TAKANO. Madam Speaker, I thank the gentleman from Texas for his kind words and comments, and I appreciate his passion for our veterans. And I am very pleased that we can honor his friend by the naming of the bill.

Madam Speaker, I have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I am prepared to close, and I yield myself the balance of my time.

This is a bill that contains a lot of effort, as you can see, from both sides of the aisle, both Republicans and Democrats, and as Mr. ARRINGTON said, trying to do the right thing for our Nation's heroes.

I remember in 2008 when I was a candidate for Congress, the HUD-VASH voucher program was rolled out. I didn't really understand it. It is a program that helps homeless veterans.

And when I got into Congress, I remember General Shinseki, who was the Secretary at that time, stated that during the housing crisis there were over 100,000 homeless veterans in America, the wealthiest country in the world. I found that shameful.

His goal was to eliminate homelessness among veterans in the next 6

years. He didn't achieve that goal, but it was a worthy goal. That number now is under 40,000, less than that. And, hopefully, with this bill that has help for families and children in it, that we can get these veterans off the street, and into productive lives.

You can see in part of the bill that Congressman LEVIN, myself, and leader MCCARTHY supported, it takes veterans who have lost their jobs and gets them skills that they can transition into this new economy post-pandemic, and has money to take care of their families.

I know the transition assistance program that was mentioned. I know when I got out of the military, the only thing I was worried about was the gate of the fort I was in hitting me on the backside on the way out. That is how much help I got at the end of Vietnam. Nobody really said: What are you going to do next?

They just said: You are out of here.

We had this little helmet, I remember, when I was in service, with two feet coming out from under it. And that meant you were short. You had less than 100 days left in-country.

Well, today, we are doing a much better job with our transitioning, and we are starting to think, when these young people go into the military to serve our country and our Nation and protect us, what are you going to do when you transition out?

In other words, when you go in, start thinking about what you are going to do when your military career is over. This bill will help us get to that. I am very proud to encourage all of my colleagues to support this bill, and I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I just want to say that this is a tremendously comprehensive bill. It represents the tremendous work of Members from both sides of the aisle.

I have to say that I am recalling at this very moment a woman veteran who drove all the way from Los Angeles into my district to a townhall meeting where she first made me aware of the issue of veterans with children not having enough money, not enough benefits to be able to get into homeless housing, and I am so pleased that the bill by Ms. BROWNLEY to address that issue is in this piece of legislation.

I just urge all of my colleagues to pass H.R. 7105, as amended, and I yield back the balance of my time.

Mr. MCCARTHY. Madam Speaker, I rise today in support of the DELIVER Act, a bipartisan veterans legislative package that includes two bills that I have introduced this Congress, the VET TEC Expansion Act and the Reducing Veteran Homelessness Act of 2020.

I believe that a nation's character can be judged by how well it treats its veterans when they complete their service and return home. Providing veterans with flexible education benefits to meet current workforce needs and protecting our most vulnerable veterans from homelessness is the least that we can do as a country to repay our debt of gratitude.

The VET TEC Expansion Act, which I introduced with my colleague from California, Ro Khanna, builds upon the success of the existing VET TEC pilot program, which was created by the original VET TEC Act that I introduced and which President Trump signed into law in 2017 as part of a broader bipartisan veterans bill. Upon realizing the potential that non-traditional, ''nanodegree'' educational programs have for our veterans after visiting such a program in 2017, I discovered that GI Bill benefits did not cover the cost of enrolling in these types of programs, which is why I introduced the VET TEC Act.

The VET TEC pilot program began accepting veteran applications in May 2019, and in seeking to keep the program aligned with its mission to provide veterans with access to technology-oriented and industry-responsive educational courses, I introduced the VET TEC Expansion Act just under one year after the pilot's official launch. This bill would allow the VA to accept more course providers into the VET TEC pilot program, expand VET TEC pilot program eligibility to include certain servicemembers who are starting the transition to civilian life—so they may get a jumpstart on obtaining new skills that can help them secure a job—and would allow the VA to accept education providers that offer part-time courses, such as night classes, into the pilot program.

All of these provisions were developed in consultation with feedback from veteran organizations and I am confident that these changes will allow the VA to provide even more veterans with access to the most up-to-date, non-traditional educational courses possible. The VET TEC pilot program is incredibly popular, so I am pleased that the DELIVER Act also authorizes $30 million in additional annual funding for this pilot program until its expiration in Fiscal Year 2023. This funding increase appropriately responds to the current overwhelming demand from veterans who are seeking to participate in non-traditional educational courses that prepare them for employment in our dynamic, technology-centric economy. An August 2020 VA report to Congress recently found that thousands of veterans who applied to participate in a VET TEC-approved course received a ''Certificate of Eligibility'' to participate beginning on October 1, 2020, the start of the 2021 Fiscal Year, as VET TEC's popularity caused it to run out of funding in its first pilot year. To me, this is a strong testament to the demand for flexible educational benefits from our nation's student veterans.

The Reducing Veteran Homelessness Act of 2020, which I introduced with my colleague from California, MIKE LEVIN, just last week, provides solutions to address issues that homeless providers have raised with me in recent years. The successful HUD-VA Supportive Housing Program (or HUD-VASH Program) has long been plagued by understaffing of case managers, which prevents supportive housing vouchers allocated through the program from reaching veterans in need.

My legislation requires the VA to contract out HUD-VASH case manager services to community experts when these VA case manager positions remain unfilled for a long period of time and HUD-VASH housing vouchers in the region remain unutilized. It also modernizes the VA's Grant and Per Diem program so that homeless providers that participate in this program receive pay that is based on local or regional conditions rather than a standard across-the-board rate, in order to prevent providers operating in parts of the country with higher living costs from having to reduce services.

I would like to thank Subcommittee Chairman LEVIN, Committee Ranking Member PHIL ROE and the members of the House Veterans Affairs Committee for ensuring that our nation's veterans receive the supportive services that they deserve by including these two pieces of legislation in the DELIVER Act. Accordingly, I ask my colleagues on both sides of the aisle to join me in supporting this bill so that we may better serve the veterans who have so valiantly served our country.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 7105, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.''.

A motion to reconsider was laid on the table.

VETERANS COMPREHENSIVE PREVENTION, ACCESS TO CARE, AND TREATMENT ACT OF 2020

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 8247) to make certain improvements relating to the transition of individuals to services from the Department of Veterans Affairs, suicide prevention for veterans, and care and services for women veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8247

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Comprehensive Prevention, Access to Care, and Treatment Act of 2020'' or the ''Veterans COMPACT Act of 2020''.

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

Sec. 1. Short title; table of contents.

TITLE I—IMPROVEMENT OF TRANSITION OF INDIVIDUALS TO SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS

Sec. 101. Pilot program on information sharing between Department of Veterans Affairs and designated relatives and friends of veterans regarding assistance and benefits available to the veterans.

Sec. 102. Annual report on Solid Start program of Department of Veterans Affairs.

TITLE II—SUICIDE PREVENTION
Sec. 201. Department of Veterans Affairs provision of emergent suicide care.
Sec. 202. Education program for family members and caregivers of veterans with mental health disorders.
Sec. 203. Interagency Task Force on Outdoor Recreation for Veterans.
Sec. 204. Contact of certain veterans to encourage receipt of comprehensive medical examinations.
Sec. 205. Police crisis intervention training of Department of Veterans Affairs.
TITLE III—IMPROVEMENT OF CARE AND SERVICES FOR WOMEN VETERANS
Sec. 301. Gap analysis of Department of Veterans Affairs programs that provide assistance to women veterans who are homeless.
Sec. 302. Report on locations where women veterans are using health care from Department of Veterans Affairs.

TITLE I—IMPROVEMENT OF TRANSITION OF INDIVIDUALS TO SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS

SEC. 101. PILOT PROGRAM ON INFORMATION SHARING BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND DESIGNATED RELATIVES AND FRIENDS OF VETERANS REGARDING ASSISTANCE AND BENEFITS AVAILABLE TO THE VETERANS.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence carrying out a pilot program—

(A) to encourage members of the Armed Forces who are transitioning from service in the Armed Forces to civilian life, before separating from such service, to designate up to 10 persons to whom information regarding the assistance and benefits available to the veterans under laws administered by the Secretary shall be disseminated using the contact information obtained under paragraph (7); and

(B) provides such persons, within 30 days after the date on which such persons are designated under subparagraph (A), the option to elect to receive such information.

(2) DURATION.—The Secretary shall carry out the pilot program during a period beginning on the date of the commencement of the pilot program that is not less than two years.

(3) DISSEMINATION.—The Secretary shall disseminate information described in paragraph (1)(A) under the pilot program no less than quarterly.

(4) TYPES OF INFORMATION.—The types of information to be disseminated under the pilot program to persons who elect to receive such information shall include information regarding the following:

(A) Services and benefits offered to veterans and their family members by the Department of Veterans Affairs.

(B) Challenges and stresses that might accompany transitioning from service in the Armed Forces to civilian life.

(C) Services available to veterans and their family members to cope with the experiences and challenges of service in the Armed Forces and transition from such service to civilian life.

(D) Services available through community partner organizations to support veterans and their family members.

(E) Services available through Federal, State, and local government agencies to support veterans and their family members.

(F) The environmental health registry program, health and wellness programs, and resources for preventing and managing diseases and illnesses.

(G) A toll-free telephone number through which such persons who elect to receive information under the pilot program may request information regarding the program.

(H) Such other matters as the Secretary, in consultation with members of the Armed Forces and such persons who elect to receive information under the pilot program, determines to be appropriate.

(5) PRIVACY OF INFORMATION.—In carrying out the pilot program, the Secretary may not disseminate information under paragraph (4) in violation of laws and regulations pertaining to the privacy of members of the Armed Forces, including requirements pursuant to—

(A) section 552a of title 5, United States Code; and

(B) the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191).

(6) NOTICE AND MODIFICATIONS.—In carrying out the pilot program, the Secretary shall, with respect to a veteran—

(A) ensure that such veteran is notified of the ability to modify designations made by such veteran under paragraph (1)(A); and

(B) upon the request of a veteran, authorize such veteran to modify such designations at any time.

(7) CONTACT INFORMATION.—In making a designation under the pilot program, a veteran shall provide necessary contact information, specifically including an email address, to facilitate the dissemination of information regarding the assistance and benefits available to the veteran under laws administered by the Secretary.

(8) OPT-IN AND OPT-OUT OF PILOT PROGRAM.—

(A) OPT-IN BY MEMBERS.—A veteran may participate in the pilot program only if the veteran voluntarily elects to participate in the program. A veteran seeking to make such an election shall make such election in a manner, and by including such information, as the Secretary shall specify for purposes of the pilot program.

(B) OPT-IN BY DESIGNATED RECIPIENTS.—A person designated pursuant to paragraph (1)(A) may receive information under the pilot program only if the person makes the election described in paragraph (1)(B).

(C) OPT-OUT.—In carrying out the pilot program, the Secretary shall, with respect to a person who has elected to receive information under such pilot program, cease disseminating such information to that person upon request of such person.

(b) SURVEY AND REPORT ON PILOT PROGRAM.—

(1) SURVEY.—

(A) IN GENERAL.—Not later than one year after the date of the commencement of the pilot program and not less frequently than once each year thereafter for the duration of the pilot program, the Secretary shall administer a survey to persons who ever elected to receive information under the pilot program for the purpose of receiving feedback regarding the quality of information disseminated under this section.

(B) ELEMENTS.—Each survey conducted under subparagraph (A) shall include solicitation of the following:

(i) Feedback on the following:

(I) The nature of information disseminated under the pilot program.

(II) Satisfaction with the pilot program.

(III) The utility of the pilot program.

(IV) Overall pilot program successes and challenges.

(ii) Recommendations for improving the pilot program.

(iii) Reasons for opting in or out of the pilot program.

(iv) Such other feedback or matters as the Secretary considers appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than three years after the date on which the pilot program commences, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a final report on the pilot program.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) The results of the survey administered under paragraph (1).

(ii) The number of participants enrolled in the pilot program who are veterans.

(iii) The number of persons designated under subsection (a)(1)(A).

(iv) The number of such persons who opted in or out of the pilot program under subsection (a)(8).

(v) The average period such persons remained in the pilot program.

(vi) An assessment of the feasibility and advisability of making the pilot program permanent.

(vii) Identification of legislative or administrative action that may be necessary if the pilot program is made permanent.

(viii) A plan to expand the pilot program if the pilot program is made permanent.

(ix) If the Secretary finds under clause (vi) that making the pilot program permanent is not feasible or advisable, a justification for such finding.

SEC. 102. ANNUAL REPORT ON SOLID START PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for a period of five years, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the Solid Start program of the Department of Veterans Affairs.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) With respect to each veteran called or emailed under the Solid Start program:

(A) The Armed Force in which the veteran served.

(B) Age.

(C) Gender.

(D) Whether the veteran responded to the call or email.

(E) Whether the call or email resulted in a call to the Veterans Crisis Line established pursuant to section 1720F(h) of title 38, United States Code.

(F) Whether the call or email resulted in a referral to—

(i) compensation and pension determination;

(ii) enrollment in the patient enrollment system of the Department; or

(iii) any other program or benefit under the laws administered by the Secretary.

(2) Any change to the Solid Start program implemented by the Secretary since the date of the previous such report.

(c) PROHIBITION ON PERSONALLY IDENTIFIABLE INFORMATION.—No report under subsection (a) may contain any personally identifiable information regarding a veteran.

TITLE II—SUICIDE PREVENTION

SEC. 201. DEPARTMENT OF VETERANS AFFAIRS PROVISION OF EMERGENT SUICIDE CARE.

(a) IN GENERAL.—Subchapter II of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 1720J. Emergent suicide care

''(a) EMERGENT SUICIDE CARE.—Pursuant to this section, the Secretary shall—

''(1) furnish emergent suicide care to an eligible individual at a medical facility of the Department;

''(2) pay for emergent suicide care provided to an eligible individual at a non-Department facility; and

''(3) reimburse an eligible individual for emergent suicide care provided to the eligible individual at a non-Department facility.

''(b) ELIGIBILITY.—An individual is eligible for emergent suicide care under subsection (a) if the individual is in an acute suicidal crisis and is either of the following:

''(1) A veteran (as defined in section 101).

''(2) An individual described in section 1720I(b) of this title.

''(c) PERIOD OF CARE.—(1) Emergent suicide care provided under subsection (a) shall be furnished to an eligible individual—

''(A) through inpatient or crisis residential care, for a period not to exceed 30 days; or

''(B) if care under subparagraph (A) is unavailable, or if such care is not clinically appropriate, as outpatient care for a period not to exceed 90 days.

''(2) If, upon the expiration of a period under paragraph (1), the Secretary determines that the eligible individual remains in an acute suicidal crisis, the Secretary may extend such period as the Secretary determines appropriate.

''(d) NOTIFICATION.—An eligible individual who receives emergent suicide care under subsection (a) at a non-Department facility (or a person acting on behalf of the individual) shall notify the Secretary of such care within seven days of admission to such facility.

''(e) OUTREACH.—During any period when an eligible individual is receiving emergent suicide care under subsection (a), the Secretary shall—

''(1) ensure that—

''(A) in the case of an eligible individual whom the Veterans Crisis Line recommends to seek emergent suicide care at a medical facility of the Department, the Veterans Crisis Line notifies the Suicide Prevention Coordinator of such medical facility;

''(B) in the case of an eligible individual who presents at a medical facility of the Department in an acute suicidal crisis without a recommendation by the Veterans Crisis Line, the Secretary notifies the Suicide Prevention Coordinator;

''(C) in the case of an eligible individual whom the Veterans Crisis Line recommends to seek treatment at a non-Department facility, the Veterans Crisis Line notifies the Suicide Prevention Coordinator and the Office of Community Care at the medical facility of the Department located nearest to the eligible individual; and

''(D) in the case of an eligible individual who presents at a non-Department facility in an acute suicidal crisis without a recommendation by the Veterans Crisis Line and for whom the Secretary receives a notification under subsection (d), the Secretary notifies the Suicide Prevention Coordinator and the Office of Community Care at the medical facility of the Department located nearest to the eligible individual;

''(2) determine the eligibility of the eligible individual for other programs and benefits under the laws administered by the Secretary (or shall make such determination as soon as practicable following the period of such emergent suicide care); and

''(3) make referrals for care following the period of such emergent suicide care, as the Secretary determines appropriate.

''(f) PROHIBITION ON CHARGE.—(1) If the Secretary provides emergent suicide care to an eligible individual under subsection (a), the Secretary—

''(A) may not charge the eligible individual for any cost of such emergent suicide care; and

''(B) shall pay for any costs of emergency transportation to a facility for such emergent suicide care (as such costs are determined pursuant to section 1725 of this title, to the extent practicable).

''(2)(A) In addition to the requirements of paragraph (1), if the Secretary pays for emergent suicide care provided under subsection (a) to an eligible individual at a non-Department facility, the Secretary shall reimburse the facility for the reasonable value of such emergent suicide care.

''(B)(i) In carrying out subparagraph (A), the Secretary may determine the amount to reimburse a non-Department facility in a similar manner to the manner in which the Secretary determines reimbursement amounts for that non-Department facility for medical care and services provided under another provision of this chapter.

''(ii) The requirements of section 1725(c)(3) of this title shall apply with respect to payments made under subparagraph (A) of this paragraph.

''(3) In the case of an eligible individual who receives emergent suicide care under this section and who is entitled to emergent suicide care (or payment for emergent suicide care) under a health-plan contract, the Secretary may recover the costs of such emergent suicide care provided under this section, other than for such care for a service-connected disability.

''(4) In carrying out subsection (d), the Secretary may not charge an eligible individual for any cost of emergent suicide care provided under subsection (a) solely by reason of the Secretary not having been notified of such care pursuant to such subsection.

''(g) ANNUAL REPORT.—Not less than once each year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on emergent suicide care provided under subsection (a). Each such report shall include, for the year covered by the report—

''(1) the number of eligible individuals who received emergent suicide care under subsection (a);

''(2) demographic information regarding eligible individuals described in paragraph (1);

''(3) the types of care furnished or paid for this section; and

''(4) the total cost of providing care under subsection (a).

''(h) DEFINITIONS.—In this section:

''(1) The term 'acute suicidal crisis' means that an individual was determined to be at imminent risk of self-harm by a trained crisis responder or health care provider.

''(2) The term 'crisis residential care' means crisis stabilization care provided—

''(A) in a residential setting; and

''(B) in a facility other than a hospital.

''(3) The term 'crisis stabilization care' includes, with respect to an individual in acute suicidal crisis, care that ensures, to the extent practicable, immediate safety and reduces—

''(A) the severity of distress;

''(B) the need for urgent care; or

''(C) the likelihood that the distress under subparagraph (A) or need under subparagraph (B) will increase during the transfer of that individual from a facility at which the individual has received care for that acute suicidal crisis.

''(4) The term 'emergent suicide care' means crisis stabilization care provided to an eligible individual—

''(A) pursuant to a recommendation of the eligible individual from the Veterans Crisis Line; or

''(B) who presents at a medical facility in an acute suicidal crisis.

''(5) The term 'health-plan contract' has the meaning given such term in section 1725 of this title.

''(6) The term 'Veterans Crisis Line' means the hotline under section 1720F(h) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relation to section 1720I the following new item:

''1720J. Emergent suicide care.''.

(c) EFFECTIVE DATE.—The Secretary shall furnish or pay for emergent suicide care under section 1720J of title 38, United States Code, as added by subsection (a), beginning on the date that is 270 days after the date of the enactment of this Act.

SEC. 202. EDUCATION PROGRAM FOR FAMILY MEMBERS AND CAREGIVERS OF VETERANS WITH MENTAL HEALTH DISORDERS.

(a) ESTABLISHMENT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish an education program (in this section referred to as the ''education program'') for the education and training of caregivers and family members of eligible veterans with mental health disorders.

(b) EDUCATION PROGRAM.—

(1) IN GENERAL.—Under the education program, the Secretary shall provide a course of education to caregivers and family members of eligible veterans on matters relating to coping with mental health disorders in veterans.

(2) DURATION.—The Secretary shall carry out the education program during the four-year period beginning on the date of the commencement of the education program.

(3) SCOPE.—

(A) CAREGIVERS.—The Secretary, with respect to the component of the education program that relates to the education and training of caregivers, shall—

(i) include such component in the training provided pursuant to the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs established under section 1720G(a) of title 38, United States Code; and

(ii) make such component available on the Internet website of the Department that relates to caregiver training.

(B) FAMILY MEMBERS.—The Secretary shall carry out the component of the education program that relates to the education and training of non-caregiver family members at facilities of the Department as follows:

(i) Not less than five medical centers of the Department.

(ii) Not less than five clinics of the Department.

(iii) Not less than five Vet Centers (as defined in section 1712A(h) of title 38, United States Code).

(C) SOLICITATION OF APPLICATIONS.—In selecting locations pursuant to subparagraph (B), the Secretary shall solicit applications from eligible facilities of the Department that are interested in carrying out the education program.

(D) CONSIDERATIONS.—In selecting locations pursuant to subparagraph (B), the Secretary shall consider the feasibility and advisability of selecting locations in the following areas:

(i) Rural areas.

(ii) Areas that are not in close proximity to an active duty installation.

(iii) Areas in different geographic locations.

(4) CONTRACTS.—

(A) IN GENERAL.—In carrying out the education program, the Secretary shall enter into contracts with qualified entities described in subparagraph (B) to offer the course of education described in paragraph (5) to family members and caregivers of eligible veterans and covered veterans.

(B) QUALIFIED ENTITY DESCRIBED.—A qualified entity described in this subparagraph is a non-profit entity with experience in mental health education and outreach, including work with children, teens, and young adults, that—

(i) uses high quality, relevant, and age-appropriate information in educational programming, materials, and coursework, including such programming, materials, and coursework for children, teens, and young adults; and

(ii) works with agencies, departments, nonprofit mental health organizations, early childhood educators, and mental health providers to develop educational programming, materials, and coursework.

(C) PRIORITY.—In entering into contracts under this paragraph, the Secretary shall give priority to qualified entities that have demonstrated cultural competence in serving military and veteran populations, and, to the extent practicable, use internet technology for the delivery of course content in an effort to expand the availability of support services, especially in rural areas.

(5) COURSE OF EDUCATION DESCRIBED.—The course of education described in this paragraph shall consist of curriculum that includes the following:

(A) General education on different mental health disorders, including information to improve understanding of the experiences of individuals suffering from such disorders.

(B) Techniques for handling crisis situations and administering mental health first aid to individuals suffering from a mental health disorder.

(C) Techniques for coping with the stress of living with an individual suffering from a mental health disorder.

(D) Information on additional services available for family members and caregivers through the Department or community organizations and providers related to mental health disorders.

(E) Such other matters as the Secretary considers appropriate.

(c) SURVEYS.—

(1) IN GENERAL.—The Secretary shall conduct a comprehensive survey of the satisfaction of individuals that have participated in the course of education described in subsection (b)(5). Such survey shall include a solicitation of feedback on the following:

(A) The general satisfaction of those individuals with the education and assistance provided under the education program.

(B) The perceived effectiveness of the education program in providing education and assistance that is useful for those individuals.

(C) The applicability of the education program to the issues faced by those individuals.

(D) Such other matters as the Secretary considers appropriate.

(2) COMPILATION OF INFORMATION.—The information compiled as a result of the surveys conducted under paragraph (1) shall be—

(A) disaggregated by facility type at which the education program was carried out; and

(B) included in the annual reports under subsection (d)(1).

(d) REPORTS.—

(1) ANNUAL REPORTS.—

(A) IN GENERAL.—Not later than one year after the date of the commencement of the education program and not later than September 30 each year thereafter until 2024, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on—

(i) the education program; and

(ii) the feasibility and advisability of expanding the education program to include the establishment of a peer support program composed of individuals who complete the education program (in this section referred to as a ''peer support program'').

(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include the following:

(i) The number of individuals that participated in the course of education described in subsection (b)(5) during the year preceding the submission of the report.

(ii) A detailed analysis of the surveys conducted under subsection (c) with respect to the individuals described in clause (i).

(iii) Any plans for expansion of the education program.

(iv) An analysis of the feasibility and advisability of establishing a peer support program.

(v) The interim findings and conclusions of the Secretary with respect to the success of the education program and the feasibility and advisability of establishing a peer support program.

(2) FINAL REPORT.—

(A) IN GENERAL.—Not later than one year after the completion of the education program, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a final report on the feasibility and advisability of continuing the education program.

(B) ELEMENTS.—The final report under subparagraph (A) shall include the following:

(i) A detailed analysis of the surveys conducted under subsection (c).

(ii) An analysis of the feasibility and advisability of continuing the education program without entering into contracts for the course of education described in subsection (b)(5).

(iii) An analysis of the feasibility and advisability of expanding the education program.

(iv) An analysis of the feasibility and advisability of establishing a peer support program.

(e) MONITORING OF PROGRAM.—The Secretary shall select mental health care providers of the Department to monitor the progress of the instruction provided under the education program.

(f) DEFINITIONS.—In this section:

(1) The term ''eligible veteran'' means a veteran who is enrolled in the health care system established under section 1705(a) of title 38, United States Code.

(2) The terms ''caregiver'' and ''family member'' have the meaning given those terms in section 1720G(d) of title 38, United States Code.

SEC. 203. INTERAGENCY TASK FORCE ON OUTDOOR RECREATION FOR VETERANS.

(a) ESTABLISHMENT.—Not later than 18 months after the date on which the national emergency declared by the President pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) expires, the Secretary of Veterans Affairs shall establish a task force to be known as the ''Task Force on Outdoor Recreation for Veterans'' (in this section referred to as the ''Task Force'').

(b) COMPOSITION.—The Task Force shall be composed of the following members or their designees:

(1) The Secretary of Veterans Affairs.

(2) The Secretary of the Interior.

(3) The Secretary of Health and Human Services.

(4) The Secretary of Agriculture.

(5) The Secretary of Defense.

(6) The Secretary of Homeland Security.

(7) The Chief of the Army Corps of Engineers.

(8) At least two representatives from veterans service organizations.

(9) Any other member that the Secretary of Veterans Affairs determines to be appropriate.

(c) CHAIRPERSONS.—The Secretary of Veterans Affairs and the Secretary of the Interior shall serve as co-chairpersons of the Task Force (in this section referred to as the ''Chairpersons'').

(d) DUTIES.—

(1) TASK FORCE.—The duties of the Task Force shall be—

(A) to identify opportunities to formalize coordination between the Department of Veterans Affairs, public land agencies, and partner organizations regarding the use of public lands and other outdoor spaces for facilitating health and wellness for veterans;

(B) to identify barriers that exist to providing veterans with opportunities to augment the delivery of services for health and wellness through the use of outdoor recreation on public lands and other outdoor spaces; and

(C) to develop recommendations to better facilitate the use of public lands and other outdoor spaces for promoting wellness and facilitating the delivery of health care and therapeutic interventions for veterans.

(2) CONSULTATION.—The Task Force shall carry out the duties under paragraph (1) in consultation with appropriate veterans outdoor recreation groups.

(e) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than one year after the date on which the Task Force is established, the Chairpersons shall submit to Congress a report on the preliminary findings of the Task Force.

(2) FINAL REPORT.—Not later than one year after the date of the submission of the preliminary report under paragraph (1), the Chairpersons shall submit to Congress a report on the findings of the Task Force, which shall include the recommendations developed under subsection (d)(1)(C).

(f) DURATION.—The Task Force shall terminate on the date that is one year after the date of the submission of the final report in subsection (e)(2).

(g) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

(h) PUBLIC LANDS DEFINED.—In this section, the term ''public lands'' means any recreational lands under the jurisdiction of the Federal Government or a State or local government.

SEC. 204. CONTACT OF CERTAIN VETERANS TO ENCOURAGE RECEIPT OF COMPREHENSIVE MEDICAL EXAMINATIONS.

(a) NOTICE.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Health of the Department of Veterans Affairs shall seek to contact each covered veteran by mail, telephone, or email to encourage each covered veteran to receive medical examinations including the following:

(1) A comprehensive physical examination.

(2) A comprehensive mental health examination.

(3) A comprehensive eye examination if the covered veteran has not received such an examination in the year immediately preceding the date of such examination.

(4) A comprehensive audiological examination if the covered veteran has not received such an examination in the year immediately preceding the date of such examination.

(b) EXAMINATIONS.—

(1) VA HEALTH CARE FACILITIES.—If a covered veteran elects to receive more than one examination described in subsection (a) at a health care facility of the Department of Veterans Affairs, the Under Secretary of

Health shall seek to furnish all such scheduled examinations on the same day.

(2) COMMUNITY CARE.—Pursuant to subsection (d) or (e) of section 1703 of title 38, United States Code, a covered veteran may receive an examination described in subsection (a) from a health care provider described in subsection (c) of that section.

(c) TRANSPORTATION.—

(1) BENEFICIARY TRAVEL PROGRAM.—Pursuant to section 111 of title 38, United States Code, the Secretary of Veterans Affairs may pay for a rural covered veteran to travel to a health care facility to receive an examination described in subsection (a).

(2) SHUTTLE SERVICE.—The Under Secretary of Health shall seek to enter into agreements with non-profit organizations to provide shuttle service to rural covered veterans for examinations described in subsection (a).

(d) REPORT REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report regarding how many covered veterans scheduled examinations described in subsection (a) after receiving a letter, telephone call, or email under that subsection.

(e) DEFINITIONS.—In this section:

(1) The term ''covered veteran'' means a veteran who—

(A) is enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705 of title 38, United States Code; and

(B) has not received health care furnished or paid for by the Secretary of Veterans Affairs during the two years immediately preceding the date in subsection (a)(1).

(2) The term ''rural covered veteran'' means a covered veteran—

(A) who lives in an area served by the Office of Rural Health of the Department of Veterans Affairs; and

(B) whom the Under Secretary of Health determines requires assistance to travel to a health care facility to receive an examination described in subsection (a).

(3) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

SEC. 205. POLICE CRISIS INTERVENTION TRAINING OF DEPARTMENT OF VETERANS AFFAIRS.

(a) TRAINING.—The Secretary of Veterans Affairs shall provide to Department police officers an annual training on the prevention of suicide among the population served by the Department police officers.

(b) CURRICULUM.—In carrying out subsection (a), the Secretary shall update any similar training provided before the date of the enactment of this Act to ensure that the curriculum for the training addresses, at a minimum, the following:

(1) Effective behavioral science procedures for suicide prevention and risk mitigation.

(2) Crisis intervention and de-escalation skills, including through the use of interactive training.

(3) Information about mental health and substance abuse disorders.

(4) Information about local law enforcement crisis intervention teams and other resources for veterans experiencing mental health crises available by the Department of Veterans Affairs, other elements of the Federal Government, and the community in which the police officers serve.

(c) CONSULTATION.—The Secretary shall ensure that the annual training provided to Department police officers at a medical facility of the Department under subsection (a) is provided in consultation with law enforcement training accreditation organizations and the mental health experts at such facility.

(d) PLAN ON COMMUNITY PARTNERSHIPS.—The Secretary shall ensure that each police force of a facility of the Department develops a plan to enter into partnerships with—

(1) local community mental health organizations and experts, local community veterans organizations, and local community criminal justice organizations and experts; and

(2) local police departments, including by facilitating the sharing of training resources with crisis intervention teams of the local police departments.

(e) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the annual training under subsection (a), including—

(1) a description of the curriculum of such training;

(2) with respect to the year preceding the date of the report—

(A) the number of facilities of the Department that conducted such training;

(B) the number of Department police officers who received such training; and

(C) any barriers to ensuring that each Department police officer receives such training;

(3) any recommendations to address the barriers identified under paragraph (2)(C); and

(4) the number of facilities of the Department that have entered into partnerships pursuant to subsection (d).

(f) DEPARTMENT POLICE OFFICER DEFINED.—In this section, the term ''Department police officer'' means an employee of the Department of Veterans Affairs specified in section 902(a) of title 38, United States Code.

TITLE III—IMPROVEMENT OF CARE AND SERVICES FOR WOMEN VETERANS

SEC. 301. GAP ANALYSIS OF DEPARTMENT OF VETERANS AFFAIRS PROGRAMS THAT PROVIDE ASSISTANCE TO WOMEN VETERANS WHO ARE HOMELESS.

(a) ANALYSIS.—The Secretary of Veterans Affairs shall complete an analysis of programs of the Department of Veterans Affairs that provide assistance to women veterans who are homeless or precariously housed to identify the areas in which such programs are failing to meet the needs of such women.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the analysis completed under subsection (a).

SEC. 302. REPORT ON LOCATIONS WHERE WOMEN VETERANS ARE USING HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the use by women veterans of health care from the Department of Veterans Affairs.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following information:

(1) The number of women veterans who reside in each State.

(2) The number of women veterans in each State who are enrolled in the patient enrollment system of the Department under section 1705(a) of title 38, United States Code.

(3) Of the women veterans who are so enrolled, the number who have received health care under the laws administered by the Secretary at least one time during the one-year period preceding the submission of the report.

(4) The number of women veterans who have been seen at each medical facility of the Department during such year, disaggregated by facility.

(5) The number of appointments that women veterans have had at a medical facility of the Department during such year, disaggregated by—

(A) facility; and

(B) appointments for—

(i) primary care;

(ii) specialty care; and

(iii) mental health care.

(6) For each appointment type specified in paragraph (5)(B), the number of appointments completed in-person and the number of appointments completed through the use of telehealth.

(7) If known, an identification of the medical facility of the Department in each Veterans Integrated Service Network with the largest rate of increase in patient population of women veterans as measured by the increase in unique women veteran patient use.

(8) If known, an identification of the medical facility of the Department in each Veterans Integrated Service Network with the largest rate of decrease in patient population of women veterans as measured by the decrease in unique women veterans patient use.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 8247, as amended.

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

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 8247, the Veterans Comprehensive Prevention, Access to Care, and Treatment Act, or Veterans COMPACT Act.

While passing S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act can be viewed as a great success, no single piece of legislation can comprehensively prevent the tragedy of veteran suicide.

We must continually find and work to address gaps in prevention and care for veterans, especially those at heightened risk for suicide, including women veterans, veterans who have recently separated from the military service, veterans who haven't used VA healthcare recently, and veterans in acute crisis.

The COMPACT Act contains nine provisions to further enhance veteran's mental health and well-being and prevent deaths by suicide.

Madam Speaker, the House Committee on Veterans' Affairs approaches suicide prevention legislation within the CDC's public health framework, emphasizing upstream prevention, targeted interventions for those veterans at higher risk, and emergency care for those in suicidal crisis.

The COMPACT Act includes my provision to remove financial barriers and ensure that veterans in acute suicidal crisis or at imminent risk of self-harm will receive emergency stabilization care and never see a bill for it.

COMPACT also offers two provisions designed to better understand the particular needs of women veterans by directing the VA to report on women veterans' healthcare usage and the specific program needs of women veterans experiencing homelessness and housing insecurity.

It also includes two provisions aimed at including veterans' family members with veterans' permission in education programs to better support their veterans. When we take care of families, we also take care of veterans.

Madam Speaker, this bill also mandates that VA report back to Congress on the details of Solid Start, a relatively new VA approach to contacting and supporting veterans who have recently separated from the military. This is a known high-risk period for suicide among veterans.

COMPACT will ensure that veterans who haven't used VA healthcare recently get a reminder to come back in for VA services, so they don't inadvertently lose eligibility for some of those services.

Because we know that VA police play important roles in keeping everyone safe on VA campuses, this bill requires new annual trainings to make sure that all VA police officers are familiar with mental health challenges and competent in crisis deescalation techniques.

Madam Speaker, finally, the COMPACT Act sets up an interagency task force to look at increasing veterans' access to the outdoors and, in particular, use of our public lands for healing and recreation.

I want to emphasize that the House Committee on Veterans' Affairs is always willing to work in a bipartisan and bicameral way to advance policies to support veterans. And to that end, we sought and incorporated feedback from stakeholders and we worked hard to find consensus with our House and Senate colleagues.

Madam Speaker, even though the Department of Veterans Affairs declined to appear and testify before us in the House on this bill, we incorporated its last-minute technical suggestions in the spirit of collaboration. And because of their commitment to finding common ground and for working with the House to reach an agreed-upon bipartisan, bicameral piece of legislation, I want to thank Senators MORAN and TESTER, and Dr. ROE and their staffs for their tireless efforts in helping craft this bill. Because of their work, we are providing VA with additional tools and resources to reduce veteran suicide.

We should be clear that while we will pass two important pieces of legislation today to address the tragedy of veteran suicide, this certainly does not mark the end of Congress' obligation. We can and we must do more.

Madam Speaker, we must implement key recommendations from the White House PREVENTS task force related to lethal means safety and community provider training. We must increase VA's outreach to and care for minority and underserved veterans.

We stand ready to move this negotiated bill forward and immediately get back to work. My hope is that the Senate stands ready as well. Politics must never come before the debt we owe our veterans.

Before I say my final words in this opening piece about this legislation, I want to just again reiterate to our veterans out there who may be experiencing a crisis or who know a veteran who may be experiencing a crisis, to please call the Veterans Crisis Line at 1–800–273–8255 and press 1. As Dr. ROE said earlier today, it is okay not to be okay.

Again, 1–800–273–8255 and press 1, or text 838255.

For deaf or hard of hearing, please call 1–800–799–4889.

Madam Speaker, I encourage my colleagues to join me in support of H.R. 8247, as amended, and I reserve the balance of my time.

□ 1345

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 8247, as amended, the Veterans Comprehensive Prevention, Access to Care, and Treatment Act of 2020. The Veterans COMPACT Act is sponsored by my friend and fellow leader of the Veterans' Affairs Committee, Chairman MARK TAKANO from California. I thank the chairman for introducing this bill, and I stand with him today in full support of it.

This bill is a result of bipartisan, bicameral negotiations with Senators JERRY MORAN from Kansas and JON TESTER from Montana, the chairman and ranking member of the Senate Committee on Veterans' Affairs, and I thank them for their efforts as well.

To increase access to care to veterans at imminent risk for suicide, the Veterans COMPACT Act would require VA to cover the cost of emergent suicide care for veterans, including those with other than honorable discharges who are in crisis.

To make VA campuses safer places of care and support for veterans in need, it will require the VA police officers to receive regular training in suicide prevention.

To ensure that veterans at risk of suicide receive appropriate help at home and their families are recognized and supported for the vital roles they play in the recovery process, it would expand training and support for family members and caregivers of veterans with mental health disorders.

To support veterans during the vulnerable period of time in which they transition out of the military and into their civilian lives, the bill would create a pilot program to allow transitioning servicemembers to share information about the challenges and stresses of transition and the benefits and services available through VA and other governmental and private-sector entities with their loved ones.

To encourage veterans to engage in the VA healthcare system and take full advantage of the services VA provides, it would require VA to conduct outreach to veterans who have not been seen by VA within the prior 2 years. Remember, Madam Speaker, that over 60 percent of those veterans who commit suicide have not been in a VA healthcare facility in the last 2 years.

To improve care to the growing number of women who are serving in uniform and seeking care as veterans, it will require VA to produce an annual report on women veterans' use of VA care and a gap analysis of the programs that serve women veterans who are homeless or at risk.

The bill also contains the text of H.R. 2435, the Accelerating Veterans Recovery Outdoors Act, which is sponsored by my friend, Congressman CHRIS SMITH from New Jersey, who is a senior Member here. Congressman SMITH is my friend, the former chairman of this committee, and a longtime champion of our Nation's veterans. His bill would create a task force to examine what opportunities may exist for veterans to use our country's bountiful national parks and other beautiful outdoor spaces to improve their health and wellness. As the saying goes, nature, time, and patience are the three great physicians.

As an avid outdoorsman myself, I know the healing benefits that nature offers, and I am grateful to Congressman SMITH for his work to increase outdoor recreation for our Nation's veterans.

Madam Speaker, I hope all of my colleagues will join me in supporting the Veterans COMPACT Act, and I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. KELLY) to speak on H.R. 8247.

Ms. KELLY of Illinois. Madam Speaker, I rise to urge my colleagues to support H.R. 8247, the Veterans COMPACT Act. This important package will help veterans struggling with mental health and slow the alarming rate of veteran suicides in this country.

This package includes my bipartisan bill, H.R. 7747, which implements reporting requirements for the VA Solid Start program. The Solid Start program is a new transitional program designed to contact veterans three times during the first year after departing military service.

Veterans are often at their most vulnerable as they transition to civilian life. From waking up to a less structured day to having to navigate the

often-frustrating VA benefits system, veterans can feel alone or overwhelmed. But we can change that.

The proactive engagement from this program has already produced positive results. In its first year, VA representatives have helped more than 750 veterans apply for disability benefits, and several veterans in crisis were immediately connected to suicide prevention services.

We need to build on that success. Sometimes all it takes is a friendly voice on the other end of the line to make a difference.

I hope all of my colleagues will join me in supporting the Veterans COMPACT Act so we can give our veterans the support they deserve.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH). My friend is the previous chairman of the Veterans' Affairs Committee and a great advocate of our Nation's heroes.

Mr. SMITH of New Jersey. First of all, Madam Speaker, I want to thank Chairman TAKANO. I give a special thanks to him and the ranking member, Dr. ROE, for including my bipartisan bill, H.R. 2435, the Accelerating Veterans Recovery Outdoors Act, into the COMPACT Act that is before the House today.

Madam Speaker, introduced 17 months ago, I am especially grateful for the work of my good friend and colleague, ADAM SMITH from Washington, the lead Democrat cosponsor, and all 135 cosponsors of this legislation.

I give special thanks to the veterans service organizations, outdoor groups, and a big, big shout-out to the Sierra Club for the groundbreaking work that they have done to advance outdoor recreation as an extraordinarily effective form of healing for veterans suffering from PTSD and other psychological consequences from their service.

The legislation requires the Secretary of Veterans Affairs to establish an interagency task force on the use of public lands to provide medical treatment and therapy to veterans through outdoor recreation. Specifically, the task force duties include, first, to identify opportunities to formalize coordination between the Department of Veterans Affairs, public lands agencies, and partner organizations regarding the use of public lands or other outdoor spaces for health and wellness for veterans; second, to identify barriers that exist to providing veterans with opportunities for health and wellness through the use of outdoor recreation on public lands or other outdoor spaces; and, third, to develop recommendations to better facilitate the use of public lands or other outdoor spaces for promoting wellness and facilitating the delivery of health care and therapy for veterans.

After an exhaustive—hopefully, an exhaustive—analysis, it will provide recommendations to Congress within a year.

Madam Speaker, research has increasingly shown that outdoor recreation can be an effective form of treatment and healing for veterans. While many nonprofit organizations, VSOs, and other private companies have used the outdoors to help heroes to heal, providing greater coordination among key Federal agencies will open up new opportunities for veterans on public lands and other outdoor spaces.

Blake, Madam Speaker, is a combat-wounded veteran who served in Iraq. By the time he was 20, Blake was suffering severe depression, anxiety, and post-traumatic stress disorder. He made three visits to the VA psychiatric wards and a substance abuse rehab. But it was a backpacking trip led by the Sierra Club Military Outdoors that changed his entire perspective.

With growing hope, Blake began participating in backpacking trips to Yosemite, Ansel Adams, and Big Bend. He says the shared experiences in the outdoors taught him purpose, self-reliance, and the healing powers of nature. Blake reports that ''in every Texas sunrise in the desert or a sunset next to an alpine lake, I found more beauty and serenity than I thought existed. I found camaraderie with other veterans in sharing our stories on the trail. The darkness of what I had experienced couldn't compare to the light I saw in watching a trout swim in the Merced River with Half Dome looming nearby. And when the depression, anxiety, and everything else that comes with PTSD creeps back into my life, I know just what to do: Strap on a pack and get outside.''

Madam Speaker, I urge support for the legislation, and I thank my friends for including it in this bill.

Mr. TAKANO. Madam Speaker, I have no further speakers, and I am prepared to close.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

In closing, first of all, I want to thank the chairman for his persistence in getting this bill done and including Congressman SMITH. It is wonderful.

I was out at Walter Reed a number of years ago. They were talking about PTSD, and I asked them: Well, do they like to fish? Would that help?

Chris said: Sure.

I said: Well, I have got some of the best trout streams in the world in my district.

They said: Well, are they going to catch any fish?

I said: They also have a fish hatchery in my district, and I guarantee they are going to catch fish.

We had a wonderful event, and it does help. There is no question about it.

I was just thinking, when Congressman SMITH said that, almost every weekend, I am on the Appalachian Trail, which is very near my home, or other hiking trails with fellow vets out hiking. It is exactly as he described. It is therapeutic. I would encourage everyone to do it, especially now that we can begin to get out in this pandemic. I know that has kept a lot of people in their homes where they can't get out and they feel trapped. Again, reach out.

Again, I thank the chairman for his work on making this an important issue of the committee this year, and I appreciate his leadership on that.

Madam Speaker, I encourage all of my colleagues to support this bill, and I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

I thank the ranking member for his assistance and partnership in getting COMPACT to the finish line. I certainly thank Chairman SMITH for his contribution. I agree with the chairman that the great outdoors—the tremendous resources that we have in our country of our national parks—should be made more available and accessible to our veterans who are suffering the unseen wounds of war. So I thank the gentleman so much for his contribution.

Madam Speaker, I want to urge all of my colleagues to support H.R. 8247. I want to thank the staff; my own staff director, Ray Kelley; and the tremendous expertise that we brought on and just the tremendous focus that they were able to achieve during the past 18 months.

This is, indeed, a huge milestone today, to be standing here and to see H.R. 8247 be passed before the House today.

Madam Speaker, I urge all of my colleagues to vote ''yes'' on H.R. 8247, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the Committees on the Judiciary and Homeland Security, I rise in strong support of H.R. 8247, the ''Veterans Comprehensive Prevention, Access to Care, and Treatment Act of 2020'', which makes numerous improvements relating to Department of Veterans Affairs services offered during the transition period for veterans, suicide prevention for veterans, in addition to care and services for women veterans.

First and foremost, I want to thank all of our armed servicemen and women for their selfless dedication to our protection every day.

This country owes you all a great debt for your sacrifice.

It is no secret that the transition from active duty to civilian life poses numerous challenges and potential triggers to veterans.

We have all heard the saying ''it takes a village''.

Providing support to veterans who have mental illnesses is no different.

That is why I appreciate this bill's hands-on approach to involve loved ones in providing care to veterans who are struggling with their mental health.

For example, this bill creates a pilot program on information sharing of the assistance and benefits available to veterans between the Department of Veterans Affairs (VA) and designated loved ones.

This legislation also stipulates that the VA to carry out an education program for family members and caregivers of veterans with mental health disorders.

It is well known that outreach continues to be a major obstacle for VA prevention efforts.

H.R. 8247 seeks to address this issue by requiring the VA to contact veterans by mail, telephone, or email to urge them to come in for a VA exam, so that they remain ''actively enrolled'' in the VA health care system.

These continuous check-ins are also key to addressing the startling suicide rates among veterans.

For instance, veterans are 1.5 times more likely to die by suicide than Americans who never served in the military.

For female veterans, the risk factor is 2.2 times more likely to die by suicide.

In 2017 alone, 6,100 veterans died by suicide.

H.R. 8247 improves upon the status quo of care for veterans with regards to mental health by promoting coordination between the VA and the Suicide Prevention Coordinator at the nearest VA facility.

This will help in determining if the individual in crisis is eligible for other VA benefits and make referrals for appropriate follow-on care.

Madam Speaker, I also applaud the bill's designation of the VA as the primary payer.

With this provision, we are not only removing the out-of-pocket costs for veterans with respect to emergent mental health, but we are also removing a barrier that prevents so many from seeking help.

Veterans are truly heroes walking among us.

Their sacrifices, and those of their families, allow civilians to enjoy the benefits of our freedom without a second thought.

Without the brave efforts of all the soldiers, sailors, airmen, marines and Coast Guardsmen and women and their families, our country would not live so freely.

I offer my deepest gratitude to our nation's troops and reservists, their families, and the 19.2 million veterans, including 28,227 in my own district.

Nine in ten military families believe the public does not understand or appreciate their sacrifices.

Today, Congress has the opportunity to show its appreciation for our military personnel by voting for H.R. 8247.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 8247, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1400

EQUAL ACCESS TO CONTRACEPTION FOR VETERANS ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3798) to amend title 38, United States Code, to provide for limitations on copayments for contraception furnished by the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3798

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 ''Equal Access to Contraception for Veterans Act''.

SEC. 2. LIMITATION ON COPAYMENTS FOR CONTRACEPTION.

Section 1722A(a)(2) of title 38, United States Code, is amended—

(1) by striking ''to pay'' and all that follows through the period and inserting ''to pay—''; and

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

''(A) an amount in excess of the cost to the Secretary for medication described in paragraph (1); or

''(B) an amount for any contraceptive item for which coverage under health insurance coverage is required without the imposition of any cost-sharing requirement pursuant to section 2713(a)(4) of the Public Health Service Act (42 USC 300gg–13(a)(4)).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 3798, as amended.

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

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 3798, as amended, eliminates copayments on contraceptive items at the Department of Veterans Affairs, ensuring that no veterans, especially women veterans, face economic barriers to a critical component of preventative healthcare.

I thank Congresswoman BROWNLEY for introducing this bill and for her efforts as chair of the Subcommittee on Health and the Women's Veterans Task Force.

Contraception is an essential part of healthcare, and more than 99 percent of women have used birth control at some point in their lives. Women veterans represent the fastest growing population of veterans accessing care through VA, and many are of reproductive age.

Contraception is widely available at VA, and veterans enrolled at VA can obtain oral contraceptives, shots, skin patches, vaginal rings, and long-acting reversible contraceptives, such as implants or intrauterine devices or IUDs. In addition, the VA pharmacy dispenses over-the-counter contraceptives, including condoms and emergency contraception.

Requiring a copay for contraception creates an unnecessary economic barrier to preventative healthcare. Women veterans are more likely to live in poverty than male veterans, and transgender veterans are more likely to live in poverty than cisgender veterans. Even a small copay can be insurmountable for someone trying to make ends meet.

Madam Speaker, passing this bill is especially critical during the pandemic. During times of crisis, such as natural disaster and pandemics, the rate of unplanned pregnancy increases. When so many Americans are experiencing economic hardship, their access to healthcare should be something that they do not have to worry about. This bill has wide VSO support and is also supported by the Department of Veterans Affairs.

I, again, thank Ms. BROWNLEY for her leadership on this issue. I thank Dr. ROE and the minority staff for working with us on this bill, and I look forward to working with our Senate counterparts to get it passed into law before the 116th Congress.

Madam Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 3798, as amended, the Equal Access to Contraception for Veterans Act.

This bill is sponsored by Congresswoman JULIA BROWNLEY from California. Congresswoman BROWNLEY is the chairwoman of the Subcommittee on Health and the bipartisan Women's Veterans Task Force, and I am grateful for her hard work and steadfast commitment to improving care for all the men and women who have served our Nation in uniform.

The Equal Access to Contraception Act would prevent the Department of Veterans Affairs from charging copayments for contraceptive items and services that veterans receive in the VA. This would create parity between the VA healthcare system and the rest of the healthcare industry, which already exempts prescriptions for contraception from cost-sharing requirements.

Prior to coming to Congress, I spent 30 years in private practice as a board-certified OB/GYN physician, so I know firsthand the importance of reproductive care and regular access to contraception. I am proud to sponsor this bill today to increase access to contraception for the growing number of women who are volunteering for the military and enrolling in the VA healthcare system following their brave service.

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

Mr. TAKANO. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. BROWNLEY), my good friend, the chairwoman of the Subcommittee on Health, and also the author of this important piece of legislation.

Ms. BROWNLEY of California. Mr. Speaker, I rise today in support of H.R. 3798, the Equal Access to Contraception for Veterans Act, my bill to ensure

that women veterans have access to the same contraception coverage as women currently serving in the military and on the same basis of women who receive private healthcare.

I thank the chairman for working with me to advance this legislation, and I am proud that my bill passed the committee with broad bipartisan support.

As you may know, because of the Affordable Care Act, all women using civilian health insurance may access basic contraceptive services, like the pill or an IUD, without a copay.

Last year, the Access to Contraception for Servicemembers and Dependents Act passed with overwhelming bipartisan support as part of the annual National Defense Authorization Act to ensure that TRICARE also provides this basic health benefit to servicemembers and their dependents. While this was an important step, women veterans currently do not receive this benefit from the VA.

Clearly, we need to make sure all women who have served our country receive the same care. My bill will fix this inequity.

The benefits of contraception are widely recognized. Choosing when or if to have a family is essential to women's health and to their economic security.

Today, there are 2 million women veterans living in the United States, and women comprise the fastest growing subpopulation of both the military and veteran populations. Yet, many of their health needs go unaddressed in a VA system that has not evolved to equitably serve a rapidly changing population.

As the chairwoman of the Women's Veterans Task Force and chair of the House Veterans' Affairs' Subcommittee on Health, members of the task force and I have worked to identify disparities in healthcare for women veterans and, where necessary, introduce, advocate for, and pass legislation that eliminates those gaps.

Mr. Speaker, our veterans have sacrificed so much for us and our country. It is way past time that we address this inequity and fix this glaring gap in care of our women veterans. I urge my colleagues to support our women veterans and vote ''yes'' on H.R. 3798.

Mr. Speaker, before I conclude, I, too, would just like to publicly acknowledge my gratitude to Dr. ROE. When the Speaker says the ''gentleman from Tennessee,'' I believe he truly is a gentleman in the eyes, I think, of all Members of Congress and, certainly, particularly mine.

He is a great storyteller that underscores the point that he is making at all times. There is no question that his leadership and his advocacy for our veterans, both men and women, are untouchable and unwavering. I would say how much I have enjoyed working with him on the Committee of Veterans' Affairs, and I know that he will be missed by the entire House, but sorely missed within the Committee of Veterans' Affairs and our daily work there.

I thank him for all that he has done. Whatever his next chapter is in his life, I hope that he and his new bride enjoy every minute of it.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I very, very much appreciate the incredibly kind words. Some of those stories are probably even true that I tell.

Mr. Speaker, I would take a point of personal privilege before I close. This will probably be the last time I am down here to speak on the House floor as the ranking member of the Committee on Veterans' Affairs before this Congress adjourns in January.

Mr. Speaker, what an honor and privilege it has been. And you cannot be successful—and I think the chairman will also emphasize this—without an incredible staff. I have been so blessed with very, very, very competent people on both sides of the aisle. And it has been fun working with Ray and the gentleman's staff, and I thank him for that. They have always been respectful, and I have appreciated that.

Mr. Speaker, you know it is probably time to retire from Congress when you have delivered one of your staff members, which I have, that is on our side.

Mr. Speaker, it is not about us. It is about the veterans that we serve—all of us in this incredible body. How many times in your life do you get an opportunity to really do good for people?

I will tell you what has influenced me. I grew up in a military town, Fort Campbell, Kentucky, Clarksville, Tennessee, where the 101st Airborne is. My scoutmaster, First Sergeant Thomas E. Thayer, was killed in 1965 in Vietnam. He left four children. I saw what it did to that family. I have never forgotten that.

After my service was over—I served in Korea in 1973–1974 in the Second Infantry Division—I came back home, saw what happened to our Nation's veterans, how they were treated. That has changed.

I am thankful that this country no longer treats the veterans like they did my Vietnam brothers and sisters who served.

We had the opportunity in this committee, in a bipartisan way, as I said, to make a difference. In the last Congress, we passed the Accountability and Whistleblower Protection bill; the Appeals Modernization that has helped so many people; the Forever GI Bill, and I used the GI bill when I got out of the military, and it helped me as a young family, and I know how it transformed this country after World War II; the MISSION Act, and I could go on and on—the bills we passed yesterday and the bills we passed today, and we will pass Congresswoman BROWNLEY's bill in just a moment here.

I got an email last week. We get these all the time. We talked about the blue water Navy for, I don't know, 10 years, I guess. I get this email from a widow, who is a veteran, whose husband died in his late forties with complications of Agent Orange. He served on a service ship outside Vietnam that offloaded Agent Orange.

Finally, after all these years and the work, Mr. Speaker, we got this passed in February, I think, of 2019. She got backpay and a stipend for her and her family for the service that her husband had done. She was a veteran who had served, too, but not there. I thank the entire body for doing that because you made a difference in this veteran's life.

Mr. Speaker, I, again, thank the body, the committee, all the people who have worked, and I certainly want to support Ms. BROWNLEY's bill and her kind words—I much appreciate that—and I encourage all Members to vote for this.

Mr. Speaker, I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I conclude my remarks on Ms. BROWNLEY's important piece of legislation on making contraception available on the same basis as the Department of Defense, I, too, want to add my words of praise to my colleague and my partner in the work in the Committee on Veterans' Affairs, Ranking Member Dr. PHIL ROE.

Mr. Speaker, he has so much to point to, the proud list of accomplishments: The Blue Water Navy bill was something that had a chain of ownership. I happened to be the last one on the chain. I know that the gentleman put a lot of work into that.

Even as we approach the month of October, we know that, finally, they are going to implement the caregiver portion of that bill. What a tremendous expansion of caregiver benefits that were previously only available to post-9/11 veterans. I lament that it took that long, but it is here.

Let's also think about the tremendous progress we made on homelessness. It is not done, and it is not over, but we made tremendous strides nationwide in reducing veteran homelessness. We just passed today a very comprehensive bill to deal with the remains of homelessness, which remains a very serious problem in my own home State of California.

Mr. Speaker, Dr. ROE has helped shape our progress on veterans homelessness in so many areas of policy relating to our Nation's veterans.

Mr. Speaker, I join all of my colleagues in saying that the Committee on Veterans' Affairs will miss him.

I know his storytelling, but I learned late this year of his affection for the late folksinger John Prine. I know Dr. ROE plays the guitar, and I hope that before he leaves, he will regale us at some point with either one of his songs or one of the songs that he likes to play on that guitar.

Mr. Speaker, I urge all of my colleagues to join me in passing H.R. 3798, as amended, and I yield back the balance of my time.

□ 1415

The SPEAKER pro tempore (Mr. CUELLAR). The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 3798, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4447, EXPANDING ACCESS TO SUSTAINABLE ENERGY ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 6270, UYGHUR FORCED LABOR DISCLOSURE ACT OF 2020; AND PROVIDING FOR CONSIDERATION OF H.R. 8319, CONTINUING APPROPRIATIONS ACT, 2021 AND OTHER EXTENSIONS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution (H. Res. 1129) providing for consideration of the bill (H.R. 4447) to establish an energy storage and microgrid grant and technical assistance program; providing for consideration of the bill (H.R. 6270) to amend the Securities Exchange Act of 1934 to require issuers to make certain disclosures relating to the Xinjiang Uyghur Autonomous Region, and for other purposes; and providing for consideration of the bill (H.R. 8319) making continuing appropriations for fiscal year 2021, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 231, nays 190, not voting 9, as follows:

[Roll No. 199]

YEAS—231

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—190

Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Garcia (CA)
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Jacobs
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meuser
Miller
Moolenaar
Mooney (WV)
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiffany
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young
Zeldin

NOT VOTING—9

Abraham
Byrne
Dunn
Graves (GA)
Mitchell
Mullin
Riggleman
Rooney (FL)
Wright

□ 1500

Messrs. KING of New York and HURD of Texas changed their vote from ''yea'' to ''nay.''

Mr. PETERSON changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Chu, Judy (Takano)
DeSaulnier (Matsui)
Frankel (Clark (MA))
Grijalva (García (IL))
Hastings (Wasserman Schultz)
Hayes (Courtney)
Huffman (Thompson (CA))
Jayapal (Raskin)
Kim (Davids (KS))
Kirkpatrick (Gallego)
Langevin (Lynch)
Lawson (FL) (Evans)
Lieu, Ted (Beyer)
Lipinski (Cooper)
Lofgren (Jeffries)
Lowenthal (Beyer)
Lowey (Tonko)
McEachin (Wexton)
Meng (Clark (MA))
Moore (Beyer)
Mucarsel-Powell (Wasserman Schultz)
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Clark (MA))
Pocan (Raskin)
Porter (Wexton)
Richmond (Fudge)
Roybal-Allard (Cárdenas)
Rush (Underwood)
Serrano (Jeffries)
Speier (Scanlon)
Tlaib (Dingell)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Adams)

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

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

Mrs. LESKO. Mr. Speaker, on that I demand the yeas and nays.

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

The vote was taken by electronic device, and there were—yeas 229, nays 187, not voting 14, as follows:

[Roll No. 200]

YEAS—229

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa

Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—187

Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Garcia (CA)
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Jacobs
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meuser
Miller
Moolenaar
Mooney (WV)
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Reed
Rice (SC)
Roby
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiffany
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young
Zeldin

NOT VOTING—14

Abraham
Byrne
DeGette
Dunn
Graves (GA)
Hill (AR)
Mitchell
Mullin
Peterson
Reschenthaler
Riggleman
Rodgers (WA)
Rooney (FL)
Wright

□ 1546

Mr. VAN DREW changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Chu, Judy (Takano)
DeSaulnier (Matsui)
Frankel (Clark (MA))
Grijalva (García (IL))
Hastings (Wasserman Schultz)
Hayes (Courtney)
Huffman (Thompson (CA))
Jayapal (Raskin)
Kim (Davids (KS))
Kirkpatrick (Gallego)
Langevin (Lynch)
Lawson (FL) (Evans)
Lieu, Ted (Beyer)
Lipinski (Cooper)
Lofgren (Jeffries)
Lowenthal (Beyer)
Lowey (Tonko)
McEachin (Wexton)
Meng (Clark (MA))
Moore (Beyer)
Mucarsel-Powell (Wasserman Schultz)
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Clark (MA))
Pocan (Raskin)
Porter (Wexton)
Richmond (Fudge)
Roybal-Allard (Cárdenas)
Rush (Underwood)
Serrano (Jeffries)
Speier (Scanlon)
Tlaib (Dingell)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Adams)

DON'T BREAK UP THE T-BAND ACT OF 2020

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 451) to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCNERNEY) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 410, nays 5, not voting 15, as follows:

[Roll No. 201]

YEAS—410

Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Burchett
Burgess
Bustos
Butterfield
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cline
Cloud
Clyburn
Cole
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garcia (CA)
Garcia (IL)
Garcia (TX)
Gianforte
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McKinley
McNerney
Meeks
Meng
Meuser
Mfume
Miller
Moolenaar
Mooney (WV)
Moore
Morelle

Moulton
Mucarsel-Powell
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Norman
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiffany
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoho
Young
Zeldin

NAYS—5

Amash
Davidson (OH)
Massie
Perry
Steube

NOT VOTING—15

Abraham
Bishop (UT)
Budd
Byrne
Cohen
Dunn
Fortenberry
Graves (GA)
McHenry
Mitchell
Mullin
Riggleman
Rooney (FL)
Walker
Wright

□ 1626

Mr. FERGUSON changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to repeal the requirement to reallocate and auction the T-Band spectrum, to amend the Wireless Communications and Public Safety Act of 1999 to clarify acceptable 9–1–1 obligations or expenditures, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. FORTENBERRY. Madam Speaker, on Wednesday, September 23, 2020, I missed roll call vote No. 201. Had I been present, I would have voted "aye."

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Chu, Judy (Takano)
DeSaulnier (Matsui)
Frankel (Clark (MA))
Grijalva (García (IL))
Hastings (Wasserman Schultz)
Hayes (Courtney)
Huffman (Thompson (CA))
Jayapal (Raskin)
Kim (Davids (KS))
Kirkpatrick (Gallego)
Langevin (Lynch)
Lawson (FL) (Evans)
Lieu, Ted (Beyer)
Lipinski (Cooper)
Lofgren (Jeffries)
Lowenthal (Beyer)
Lowey (Tonko)
McEachin (Wexton)
Meng (Clark (MA))
Moore (Beyer)
Mucarsel-Powell (Wasserman Schultz)
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Clark (MA))
Pocan (Raskin)
Porter (Wexton)
Richmond (Fudge)
Roybal-Allard (Cárdenas)
Rush (Underwood)
Serrano (Jeffries)
Speier (Scanlon)
Tlaib (Dingell)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Adams)

□ 1630

EXPANDING ACCESS TO SUSTAINABLE ENERGY ACT OF 2019

Mr. PALLONE. Madam Speaker, pursuant to House Resolution 1129, I call up the bill (H.R. 4447) to establish an energy storage and microgrid grant and technical assistance program.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. TITUS). Pursuant to House Resolution 1129, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–63, modified by the amendment printed in part A of House Report 116–528, is adopted, and the bill, as amended, is considered read.

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

H.R. 4447

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

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''Clean Economy Jobs and Innovation Act''.

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

Sec. 1. Short title.

TITLE I—ENERGY EFFICIENCY

Subtitle A—Buildings

PART 1—BUILDING ENERGY CODES

Sec. 1101. Greater energy efficiency in building codes.
Sec. 1102. Cost-effective codes implementation for efficiency and resilience.
Sec. 1103. Commercial building energy consumption information sharing.

PART 2—WORKER TRAINING AND CAPACITY BUILDING

Sec. 1111. Building training and assessment centers.
Sec. 1112. Career skills training.

PART 3—SCHOOL BUILDINGS

Sec. 1121. Coordination of energy retrofitting assistance for schools.

Subtitle B—Industrial Efficiency and Competitiveness

PART 1—MANUFACTURING ENERGY EFFICIENCY

Sec. 1201. Purposes.
Sec. 1202. Future of Industry program and industrial research and assessment centers.
Sec. 1203. Sustainable manufacturing initiative.
Sec. 1204. Conforming amendments.

PART 2—EXTENDED PRODUCT SYSTEM REBATE PROGRAM

Sec. 1211. Extended Product System Rebate Program.

PART 3—TRANSFORMER REBATE PROGRAM

Sec. 1221. Energy Efficient Transformer Rebate Program.

Subtitle C—Federal Agency Energy Efficiency

Sec. 1301. Energy-efficient and energy-saving information technologies.
Sec. 1302. Energy efficient data centers.

Subtitle D—Regulatory Provisions

PART 1—FEDERAL GREEN BUILDINGS

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PART 1—BUILDING ENERGY CODES

SEC. 1101. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code or standard developed and updated by interested persons, such as the code or standard developed by—

''(A) the Council of American Building Officials, or its legal successor, International Code Council, Inc.;

''(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

''(C) other appropriate organizations.''; and

(2) by adding at the end the following:

''(17) IECC.—The term 'IECC' means the International Energy Conservation Code.

''(18) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

''(a) VOLUNTARY CODES AND STANDARDS.—Notwithstanding any other provision of this section, any model building code or standard established under section 304 shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.

''(b) ACTION BY SECRETARY.—The Secretary shall—

''(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

''(2) support full compliance with the State and local codes.

''(c) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 2 years after the date of publication of a revision to a model building energy code, each State or Indian tribe shall certify whether the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a demonstration of whether the energy savings for the code provisions that are in effect throughout the territory of the State or Indian tribe meet or exceed the energy savings of the updated model building energy code.

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(E), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

''(B) if the determination is positive, validate the certification.

''(d) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (c), each State and Indian tribe shall certify whether the State and Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of the Clean Economy Jobs and Innovation Act, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

''(B) if the determination is positive, validate the certification.

''(e) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (c) or (d) by the applicable deadline shall submit to the Secretary a report describing—

''(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

''(B) a plan for meeting the requirements and submitting the certification.

''(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (c) or (d), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (c) or (d), a local government may be eligible for Federal support under subsections (f) and (g) by meeting the certification requirements of subsections (c) and (d).

''(4) REPORTS BY SECRETARY.—

''(A) IN GENERAL.—Not later than December 31, 2021, and not less frequently than once every 3 years thereafter, the Secretary shall submit to Congress and publish a report describing—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) implementation of this section; and

''(iv) improvements in energy savings over time as result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(f) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

''(1) to improve and implement State residential and commercial building energy codes;

''(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

''(3) to document the rate of compliance with a building energy code; and

''(4) to otherwise promote the design and construction of energy- and water-efficient buildings.

''(g) AVAILABILITY OF INCENTIVE FUNDING.—

''(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

''(A) to implement the requirements of this section;

''(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes; and

''(C) to promote building energy and water efficiency through the use of the codes and standards.

''(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (d)—

''(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (c) or (d); and

''(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

''(3) TRAINING.—Of the amounts made available under this subsection, the State or Indian tribe may use amounts required, but not to exceed $750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

''(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

''(h) STRETCH CODES AND ADVANCED STANDARDS.—

''(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

''(A) an option for adoption as a building energy code by local, tribal, or State governments; and

''(B) guidelines for energy-efficient building design.

''(2) TARGETS.—The stretch codes and advanced standards shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

''(i) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, code and standards developers, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(1) code and standards improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations;

''(3) legislative options for increasing energy savings from building energy codes and standards, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code or standard other than by a State or local government; and

''(4) code and standards improvements that consider energy efficiency and water efficiency and, to the maximum extent practicable, consider energy efficiency and water efficiency in an integrated manner.

''(j) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section and section 307 $200,000,000, to remain available until expended.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' each place it appears in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—

(1) IN GENERAL.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

''(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall work with State, Indian tribes, local governments, code and standards developers (such as the entities described in section 303(14)), and other interested parties to support the updating of model building energy codes by establishing 1 or more national aggregate energy savings targets to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—The Secretary shall establish separate targets for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) CODE CYCLES.—The targets established under subparagraph (A) shall align with the respective code development cycles determined by the model building energy code-setting and standards development organizations described in section 303(14).

''(E) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with code and standards developers (such as the entities described in section 303(14)) at a level that—

''(I) is at the maximum level of energy efficiency that is technologically feasible and lifecycle cost effective, while accounting for the economic considerations under paragraph (4);

''(II) is higher than the preceding target;

''(III) promotes the achievement of commercial and residential high-performance buildings (as defined in section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)) through high performance energy efficiency; and

''(IV) takes into consideration the variations in climate zones used in model building energy codes.

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121).

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems;

''(D) building management systems and smart technologies to reduce energy use; and

''(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARDS DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standards development organizations consistent with the goals of this section.

''(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating code or standards proposals or revisions;

''(B) building energy and water analysis and design tools;

''(C) building demonstrations;

''(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(E) performance-based standards;

''(F) evaluating economic considerations under subsection (b)(4); and

''(G) developing model building energy codes by Indian tribes in accordance with tribal law.

''(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standards development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(d) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are proposed to be revised, the Secretary shall make a preliminary determination, by not later than 90 days after the date of receipt of the proposed revision, and a final determination by not later than 15 months after the date of publication of the revision, regarding whether the revision will—

''(A) improve energy efficiency in buildings, as compared to the existing model building energy code; and

''(B) meet the applicable targets under subsection (b)(2).

''(2) CODES OR STANDARDS NOT MEETING TARGETS.—

''(A) PRELIMINARY DETERMINATION BY SECRETARY.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet an applicable target under subsection (b)(2), the Secretary shall contemporaneously provide to the developer of the model building energy code or standard not fewer than 2 proposed changes that would result in a model building energy code that meets the applicable target, together with supporting evidence, taking into consideration—

''(i) whether the modified code is technically feasible and lifecycle cost effective;

''(ii) available appliances, technologies, materials, and construction practices; and

''(iii) the economic considerations under subsection (b)(4).

''(B) DETERMINATION OR ELECTION BY DEVELOPER.—Not later than 270 days after the date of receipt of proposed changes of the Secretary under subparagraph (A), a developer shall—

''(i) determine whether—

''(I) to publish a new revised code accepting the proposed changes; or

''(II) to reject the proposed changes; or

''(ii) if the developer elects not to make a determination under clause (i), publish a notice of that election, together with the proposed changes.

''(C) FINAL DETERMINATION BY SECRETARY.—

''(i) IN GENERAL.—A final determination by the Secretary shall be made on the model building energy code or standard, as modified by the changes proposed by the Secretary under subparagraph (A).

''(ii) ADDITIONAL DETERMINATIONS.—If a model building energy code or standards developer makes an election pursuant to subparagraph (B)(ii), the Secretary shall make the following final determinations for purposes of this subsection:

''(I) A final determination regarding whether the code or standard of the developer, absent any changes proposed by the Secretary under subparagraph (A), will—

''(aa) improve energy efficiency in buildings, as compared to the existing model building energy code; and

''(bb) meet the applicable targets under subsection (b)(2).

''(II) A final determination regarding whether the code or standard of the developer, as modified by the changes proposed by the Secretary under subparagraph (A), would—

''(aa) improve energy efficiency in buildings, as compared to the existing model building energy code; and

''(bb) meet the applicable targets under subsection (b)(2).

''(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.''.

(2) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act is amended by amending the item relating to section 307 to read as follows:

''Sec. 307. Support for model building energy codes.''.

SEC. 1102. COST-EFFECTIVE CODES IMPLEMENTATION FOR EFFICIENCY AND RESILIENCE.

(a) IN GENERAL.—Title III of the Energy Conservation and Production Act (42 U.S.C. 6831 et seq.) is amended by adding at the end the following:

''SEC. 309. COST-EFFECTIVE CODES IMPLEMENTATION FOR EFFICIENCY AND RESILIENCE.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a relevant State agency, as determined by the Secretary, such as a State building code agency or State energy office; and

''(B) a partnership.

''(2) PARTNERSHIP.—The term 'partnership' means a partnership between an eligible entity described in paragraph (1)(A) and 1 or more of the following entities:

''(A) Local building code agencies.

''(B) Codes and standards developers.

''(C) Associations of builders and design and construction professionals.

''(D) Local and utility energy efficiency programs.

''(E) Consumer, energy efficiency, and environmental advocates.

''(F) Other entities, as determined by the Secretary.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish within the Building Technologies Office of the Department of Energy a program under which the Secretary shall award grants on a competitive basis to eligible entities to enable sustained cost-effective implementation of updated building energy codes.

''(2) UPDATED BUILDING ENERGY CODE.—An update to a building energy code under this section shall include any update made available after the existing building energy code, even if it is not the most recent updated code available.

''(c) CRITERIA; PRIORITY.—In awarding grants under subsection (b), the Secretary shall—

''(1) consider—

''(A) prospective energy savings and plans to measure the savings;

''(B) the long-term sustainability of those measures and savings;

''(C) prospective benefits, and plans to assess the benefits, including benefits relating to—

''(i) resilience and peak load reduction;

''(ii) occupant safety and health; and

''(iii) environmental performance;

''(D) the demonstrated capacity of the eligible entity to carry out the proposed project; and

''(E) the need of the eligible entity for assistance; and

''(2) give priority to applications from partnerships.

''(d) ELIGIBLE ACTIVITIES.—

''(1) IN GENERAL.—An eligible entity awarded a grant under this section may use the grant funds—

''(A) to create or enable State or regional partnerships to provide training and materials to—

''(i) builders, contractors and subcontractors, architects, and other design and construction professionals, relating to meeting updated building energy codes in a cost-effective manner; and

''(ii) building code officials, relating to improving implementation of and compliance with building energy codes;

''(B) to collect and disseminate quantitative data on construction and codes implementation, including code pathways, performance metrics, and technologies used;

''(C) to develop and implement a plan for highly effective codes implementation, including measuring compliance;

''(D) to address various implementation needs in rural, suburban, and urban areas; and

''(E) to implement updates in energy codes for—

''(i) new residential and commercial buildings (including multifamily buildings); and

''(ii) additions and alterations to existing residential and commercial buildings (including multifamily buildings).

''(2) RELATED TOPICS.—Training and materials provided using a grant under this section may include information on the relationship between energy codes and—

''(A) cost-effective, high-performance, and zero-net-energy buildings;

''(B) improving resilience, health, and safety;

''(C) water savings and other environmental impacts; and

''(D) the economic impacts of energy codes.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section—

''(1) $25,000,000 for each of fiscal years 2021 through 2030; and

''(2) for fiscal year 2031 and each fiscal year thereafter, such sums as are necessary.''.

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for the Energy Conservation and Production Act is amended by inserting after the item relating to section 308 the following:

''Sec. 309. Cost-effective codes implementation for efficiency and resilience.''.

(2) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended, in the matter preceding paragraph (1), by striking ''As used in'' and inserting ''Except as otherwise provided, in''.

SEC. 1103. COMMERCIAL BUILDING ENERGY CONSUMPTION INFORMATION SHARING.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Energy Information Administration (referred to in this section as the ''Administrator'') and the Administrator of the Environmental Protection Agency shall sign, and submit to Congress, an information sharing agreement (referred to in this section as the ''agreement'') relating to commercial building energy consumption data.

(b) CONTENT OF AGREEMENT.—The agreement shall—

(1) provide that the Administrator shall have access to building-specific data in the Portfolio Manager database of the Environmental Protection Agency;

(2) describe the manner in which the Administrator shall incorporate appropriate data (including the data described in subsection (c)) into any Commercial Buildings Energy Consumption Survey (referred to in this section as ''CBECS'') published after the date of enactment of this Act for the purpose of analyzing and estimating building population, size, location, activity, energy usage, and any other relevant building characteristic; and

(3) describe and compare—

(A) the methodologies that the Energy Information Administration, the Environmental Protection Agency, and State and local government managers use to maximize the quality, reliability, and integrity of data collected through CBECS, the Portfolio Manager database of the Environmental Protection Agency, and State and local building energy disclosure laws (including regulations), respectively, and the manner in which those methodologies can be improved; and

(B) consistencies and variations in data for buildings that were captured in the 2012 CBECS cycle and in the Portfolio Manager database of the Environmental Protection Agency.

(c) DATA.—The data referred in subsection (b)(2) includes data that—

(1) is collected through the Portfolio Manager database of the Environmental Protection Agency;

(2) is required to be publicly available on the internet under State and local government building energy disclosure laws (including regulations); and

(3) includes information on private sector buildings that are not less than 250,000 square feet.

(d) PROTECTION OF INFORMATION.—In carrying out the agreement, the Administrator and the Administrator of the Environmental Protection Agency shall protect information in accordance with—

(1) section 552(b)(4) of title 5, United States Code (commonly known as the 'Freedom of Information Act');

(2) subchapter III of chapter 35 of title 44, United States Code; and

(3) any other applicable law (including regulations).

PART 2—WORKER TRAINING AND CAPACITY BUILDING

SEC. 1111. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary of Energy shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b))) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, and Tribal Colleges or Universities and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary of Energy shall coordinate the program with the industrial research and assessment centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 1112. CAREER SKILLS TRAINING.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means a nonprofit partnership that—

(1) includes the equal participation of industry, including public or private employers, and labor organizations, including joint labor-management training programs;

(2) may include workforce investment boards, community-based organizations, qualified service and conservation corps, educational institutions, small businesses, cooperatives, State and local veterans agencies, and veterans service organizations; and

(3) demonstrates—

(A) experience in implementing and operating worker skills training and education programs;

(B) the ability to identify and involve in training programs carried out under this section, target populations of individuals who would benefit from training and be actively involved in activities relating to energy efficiency and renewable energy industries; and

(C) the ability to help individuals achieve economic self-sufficiency.

(b) ESTABLISHMENT.—The Secretary of Energy shall award grants to eligible entities to pay the Federal share of associated career skills training programs under which students concurrently receive classroom instruction and on-the-job training for the purpose of obtaining an industry-related certification to install energy efficient buildings technologies, including technologies described in subsection (b)(3) of section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836).

(c) FEDERAL SHARE.—The Federal share of the cost of carrying out a career skills training program described in subsection (a) shall be 50 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

PART 3—SCHOOL BUILDINGS

SEC. 1121. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

Section 392 of the Energy Policy and Conservation Act (42 U.S.C. 6371a) is amended by adding at the end the following:

''(e) COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.—

''(1) DEFINITION OF SCHOOL.—Notwithstanding section 391(6), for the purposes of this subsection, the term 'school' means—

''(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)));

''(C) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

''(D) a school operated by the Bureau of Indian Affairs;

''(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

''(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

''(2) ESTABLISHMENT OF CLEARINGHOUSE.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools.

''(3) REQUIREMENTS.—In carrying out paragraph (2), the Secretary shall—

''(A) consult with appropriate Federal agencies to develop a list of Federal programs and financing mechanisms that are, or may be, used for the purposes described in paragraph (2); and

''(B) coordinate with appropriate Federal agencies to develop a collaborative education and outreach effort to streamline communications and promote available Federal programs and financing mechanisms described in subparagraph (A), which may include the development and maintenance of a single online resource that includes contact information for relevant technical assistance in the Office of Energy Efficiency and Renewable Energy that States, local education agencies, and schools may use to effectively access and use such Federal programs and financing mechanisms.''.

Subtitle B—Industrial Efficiency and Competitiveness

PART 1—MANUFACTURING ENERGY EFFICIENCY

SEC. 1201. PURPOSES.

The purposes of this part are—

(1) to establish a clear and consistent authority for industrial efficiency programs of the Department of Energy;

(2) to accelerate the deployment of technologies and practices that will increase industrial energy efficiency and improve productivity;

(3) to accelerate the development and demonstration of technologies that will assist the deployment goals of the industrial efficiency programs of the Department of Energy and increase manufacturing efficiency;

(4) to stimulate domestic economic growth and improve industrial productivity and competitiveness;

(5) to meet the future workforce needs of industry; and

(6) to strengthen partnerships between Federal and State governmental agencies and the private and academic sectors.

SEC. 1202. FUTURE OF INDUSTRY PROGRAM AND INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.

(a) FUTURE OF INDUSTRY PROGRAM.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended—

(1) by striking the section heading and inserting the following: ''**FUTURE OF INDUSTRY PROGRAM**'';

(2) in subsection (a)(2)—

(A) by redesignating subparagraph (E) as subparagraph (F); and

(B) by inserting after subparagraph (D) the following:

''(E) water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and'';

(3) by striking subsection (e); and

(4) by redesignating subsection (f) as subsection (e).

(b) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—Subtitle D of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111 et seq.) is amended by adding at the end the following:

''SEC. 454. INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.

''(a) DEFINITIONS.—In this section:

''(1) ENERGY SERVICE PROVIDER.—The term 'energy service provider' means—

''(A) any business providing technology or services to improve the energy efficiency, water efficiency, power factor, or load management of a manufacturing site or other industrial process in an energy-intensive industry (as defined in section 452(a)); and

''(B) any utility operating under a utility energy service project.

''(2) INDUSTRIAL RESEARCH AND ASSESSMENT CENTER.—The term 'industrial research and assessment center' means—

''(A) an institution of higher education-based industrial research and assessment center that is funded by the Secretary under subsection (b); and

''(B) an industrial research and assessment center at a trade school, community college, or union training program that is funded by the Secretary under subsection (f).

''(b) INSTITUTION OF HIGHER EDUCATION-BASED INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—

''(1) IN GENERAL.—The Secretary shall provide funding to institution of higher education-based industrial research and assessment centers.

''(2) PURPOSE.—The purpose of each institution of higher education-based industrial research and assessment center shall be—

''(A) to identify opportunities for optimizing energy efficiency and environmental performance, including implementation of—

''(i) smart manufacturing;

''(ii) energy management systems;

''(iii) sustainable manufacturing; and

''(iv) information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes;

''(B) to promote applications of emerging concepts and technologies in small- and medium-sized manufacturers (including water and wastewater treatment facilities and federally owned manufacturing facilities);

''(C) to promote research and development for the use of alternative energy sources to supply heat, power, and new feedstocks for energy-intensive industries;

''(D) to coordinate with appropriate Federal and State research offices;

''(E) to provide a clearinghouse for industrial process and energy efficiency technical assistance resources; and

''(F) to coordinate with State-accredited technical training centers and community colleges, while ensuring appropriate services to all regions of the United States.

''(c) COORDINATION.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

''(1) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

''(2) coordinate with the Federal Energy Management Program and the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

''(3) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise, technologies, and research and development capabilities of the National Laboratories for national industrial and manufacturing needs;

''(4) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

''(5) identify opportunities for reducing greenhouse gas emissions and other air emissions; and

''(6) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

''(d) OUTREACH.—The Secretary shall provide funding for—

''(1) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

''(2) coordination activities by each industrial research and assessment center to leverage efforts with—

''(A) Federal and State efforts;

''(B) the efforts of utilities and energy service providers;

''(C) the efforts of regional energy efficiency organizations; and

''(D) the efforts of other industrial research and assessment centers.

''(e) CENTERS OF EXCELLENCE.—

''(1) ESTABLISHMENT.—The Secretary shall establish a Center of Excellence at not more than 5 of the highest-performing industrial research and assessment centers, as determined by the Secretary.

''(2) DUTIES.—A Center of Excellence shall coordinate with and advise the industrial research and assessment centers located in the region of the Center of Excellence, including—

''(A) by mentoring new directors and staff of the industrial research and assessment centers with respect to—

''(i) the availability of resources; and

''(ii) best practices for carrying out assessments, including through the participation of the staff of the Center of Excellence in assessments carried out by new industrial research and assessment centers;

''(B) by providing training to staff and students at the industrial research and assessment centers on new technologies, practices, and tools to expand the scope and impact of the assessments carried out by the centers;

''(C) by assisting the industrial research and assessment centers with specialized technical opportunities, including by providing a clearinghouse of available expertise and tools to assist the centers and clients of the centers in assessing and implementing those opportunities;

''(D) by identifying and coordinating with regional, State, local, and utility energy efficiency programs for the purpose of facilitating efforts by industrial research and assessment centers to connect industrial facilities receiving assessments from those centers with regional, State, local, and utility energy efficiency programs that could aid the industrial facilities in implementing any recommendations resulting from the assessments;

''(E) by facilitating coordination between the industrial research and assessment centers and other Federal programs described in paragraphs (1) through (3) of subsection (c); and

''(F) by coordinating the outreach activities of the industrial research and assessment centers under subsection (d)(1).

''(3) FUNDING.—Subject to the availability of appropriations, for each fiscal year, out of any amounts made available to carry out this section under subsection (i), the Secretary shall use not less than $500,000 to support each Center of Excellence.

''(f) EXPANSION OF INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—

''(1) IN GENERAL.—The Secretary shall provide funding to establish additional industrial research and assessment centers at trade schools, community colleges, and union training programs.

''(2) PURPOSE.—

''(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, an industrial research and assessment center established under paragraph (1) shall have the same purpose as an institution of higher education-based industrial research center that is funded by the Secretary under subsection (b)(1).

''(B) CONSIDERATION OF CAPABILITIES.—In evaluating or establishing the purpose of an industrial research and assessment center established under paragraph (1), the Secretary shall take into consideration the varying capabilities of trade schools, community colleges, and union training programs.

''(g) WORKFORCE TRAINING.—

''(1) INTERNSHIPS.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

''(2) APPRENTICESHIPS.—The Secretary shall pay the Federal share of associated apprenticeship programs under which—

''(A) students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers; and

''(B) employees of facilities that have received an assessment from an industrial research and assessment center work with or for an industrial research and assessment center to gain knowledge on engineering practices and processes to improve productivity and energy savings.

''(3) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in paragraph (1) and apprenticeship programs described in paragraph (2) shall be 50 percent.

''(h) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum extent practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations developed by the industrial research and assessment centers.

''(i) FUNDING.—There is authorized to be appropriated to the Secretary to carry out this section $30,000,000 for each fiscal year, to remain available until expended.''.

(c) CLERICAL AMENDMENTS.—The table of contents of the Energy Independence and Security Act of 2007 (42 U.S.C. prec. 17001) is amended—

(1) in the item relating to section 452, by striking ''Energy-intensive industries program'' and inserting ''Future of industry program''; and

(2) by adding at the end of the items relating to subtitle D of title IV the following:

SEC. 1203. SUSTAINABLE MANUFACTURING INITIATIVE.

(a) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341 et seq.) is amended by adding at the end the following:

''SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

''(a) IN GENERAL.—As part of the Office of Energy Efficiency and Renewable Energy of the Department of Energy, the Secretary, on the request of a manufacturer, shall carry out onsite technical assessments to identify opportunities for—

''(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

''(2) preventing pollution and minimizing waste;

''(3) improving efficient use of water in manufacturing processes;

''(4) conserving natural resources; and

''(5) achieving such other goals as the Secretary determines to be appropriate.

''(b) COORDINATION.—To implement any recommendations resulting from an onsite technical assessment carried out under subsection (a) and to accelerate the adoption of new and existing technologies and processes that improve energy efficiency, the Secretary shall coordinate with—

''(1) the Advanced Manufacturing Office of the Department of Energy;

''(2) the Building Technologies Office of the Department of Energy;

''(3) the Federal Energy Management Program of the Department of Energy; and

''(4) the private sector and other appropriate agencies, including the National Institute of Standards and Technology.

''(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND INDUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the industrial efficiency programs of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial plants, reduce pollution, and conserve natural resources.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

''Sec. 376. Sustainable manufacturing initiative.''.

SEC. 1204. CONFORMING AMENDMENTS.

(a) Section 106 of the Energy Policy Act of 2005 (42 U.S.C. 15811) and the item relating to such section in the table of contents of such Act are repealed.

(b) Sections 131, 132, 133, 2103, and 2107 of the Energy Policy Act of 1992 (42 U.S.C. 6348, 6349, 6350, 13453, 13456) and the items relating to such section in the table of contents of such Act are repealed.

(c) Section 2101(a) of the Energy Policy Act of 1992 (42 U.S.C. 13451(a)) is amended in the third sentence by striking ''sections 2102, 2103, 2104, 2105, 2106, 2107, and 2108'' and inserting ''sections 2102, 2104, 2105, 2106, and 2108 of this Act and section 376 of the Energy Policy and Conservation Act,''.

PART 2—EXTENDED PRODUCT SYSTEM REBATE PROGRAM

SEC. 1211. EXTENDED PRODUCT SYSTEM REBATE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC MOTOR.—The term ''electric motor'' has the meaning given the term in section 431.12 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) ELECTRONIC CONTROL.—The term ''electronic control'' means—

(A) a power converter; or

(B) a combination of a power circuit and control circuit included on 1 chassis.

(3) EXTENDED PRODUCT SYSTEM.—The term ''extended product system'' means an electric motor and any required associated electronic control and driven load that—

(A) offers variable speed or multispeed operation;

(B) offers partial load control that reduces input energy requirements (as measured in kilowatt-hours) as compared to identified base levels set by the Secretary of Energy; and

(C)(i) has greater than 1 horsepower; and

(ii) uses an extended product system technology, as determined by the Secretary of Energy.

(4) QUALIFIED EXTENDED PRODUCT SYSTEM.—

(A) IN GENERAL.—The term ''qualified extended product system'' means an extended product system that—

(i) includes an electric motor and an electronic control; and

(ii) reduces the input energy (as measured in kilowatt-hours) required to operate the extended product system by not less than 5 percent, as compared to identified base levels set by the Secretary of Energy.

(B) INCLUSIONS.—The term ''qualified extended product system'' includes commercial or industrial machinery or equipment that—

(i)(I) did not previously make use of the extended product system prior to the redesign described in subclause (II); and

(II) incorporates an extended product system that has greater than 1 horsepower into redesigned machinery or equipment; and

(ii) was previously used prior to, and was placed back into service during, calendar year 2021 or 2022.

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall establish a program to provide rebates for expenditures made by qualified entities for the purchase or installation of a qualified extended product system.

(c) QUALIFIED ENTITIES.—

(1) ELIGIBILITY REQUIREMENTS.—A qualified entity under this section shall be—

(A) in the case of a qualified extended product system described in subsection (a)(4)(A), the purchaser of the qualified extended product that is installed; and

(B) in the case of a qualified extended product system described in subsection (a)(4)(B), the manufacturer of the commercial or industrial machinery or equipment that incorporated the extended product system into that machinery or equipment.

(2) APPLICATION.—To be eligible to receive a rebate under this section, a qualified entity shall submit to the Secretary of Energy—

(A) an application in such form, at such time, and containing such information as the Secretary of Energy may require; and

(B) a certification that includes demonstrated evidence—

(i) that the entity is a qualified entity; and

(ii)(I) in the case of a qualified entity described in paragraph (1)(A)—

(aa) that the qualified entity installed the qualified extended product system during the 2 fiscal years following the date of enactment of this Act;

(bb) that the qualified extended product system meets the requirements of subsection (a)(4)(A); and

(cc) showing the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity on which the qualified extended product system was installed; or

(II) in the case of a qualified entity described in paragraph (1)(B), demonstrated evidence—

(aa) that the qualified extended product system meets the requirements of subsection (a)(4)(B); and

(bb) showing the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity with which the extended product system is integrated.

(d) AUTHORIZED AMOUNT OF REBATE.—

(1) IN GENERAL.—The Secretary of Energy may provide to a qualified entity a rebate in an amount equal to the product obtained by multiplying—

(A) an amount equal to the sum of the nameplate rated horsepower of—

(i) the electric motor to which the qualified extended product system is attached; and

(ii) the electronic control; and

(B) $25.

(2) MAXIMUM AGGREGATE AMOUNT.—A qualified entity shall not be entitled to aggregate rebates under this section in excess of $25,000 per calendar year.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of the first 2 full fiscal years following the date of enactment of this Act, to remain available until expended.

PART 3—TRANSFORMER REBATE PROGRAM

SEC. 1221. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) QUALIFIED ENERGY EFFICIENT TRANSFORMER.—The term ''qualified energy efficient transformer'' means a transformer that meets or exceeds the applicable energy conservation standards described in the tables in subsection (b)(2) and paragraphs (1) and (2) of subsection (c) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) QUALIFIED ENERGY INEFFICIENT TRANSFORMER.—The term ''qualified energy inefficient transformer'' means a transformer with an equal number of phases and capacity to a transformer described in any of the tables in subsection (b)(2) and paragraphs (1) and (2) of subsection (c) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act) that—

(A) does not meet or exceed the applicable energy conservation standards described in paragraph (1); and

(B)(i) was manufactured between January 1, 1987, and December 31, 2008, for a transformer with an equal number of phases and capacity as a transformer described in the table in subsection (b)(2) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act); or

(ii) was manufactured between January 1, 1992, and December 31, 2011, for a transformer

with an equal number of phases and capacity as a transformer described in the table in paragraph (1) or (2) of subsection (c) of that section (as in effect on the date of enactment of this Act).

(3) QUALIFIED ENTITY.—The term ''qualified entity'' means an owner of industrial or manufacturing facilities, commercial buildings, or multifamily residential buildings, a utility, or an energy service company that fulfills the requirements of subsection (d).

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Energy shall establish a program to provide rebates to qualified entities for expenditures made by the qualified entity for the replacement of a qualified energy inefficient transformer with a qualified energy efficient transformer.

(c) REQUIREMENTS.—To be eligible to receive a rebate under this section, an entity shall submit to the Secretary of Energy an application in such form, at such time, and containing such information as the Secretary of Energy may require, including demonstrated evidence—

(1) that the entity purchased a qualified energy efficient transformer;

(2) of the core loss value of the qualified energy efficient transformer;

(3) of the age of the qualified energy inefficient transformer being replaced;

(4) of the core loss value of the qualified energy inefficient transformer being replaced—

(A) as measured by a qualified professional or verified by the equipment manufacturer, as applicable; or

(B) for transformers described in subsection (a)(2)(B)(i), as selected from a table of default values as determined by the Secretary of Energy in consultation with applicable industry; and

(5) that the qualified energy inefficient transformer has been permanently decommissioned and scrapped.

(d) AUTHORIZED AMOUNT OF REBATE.—The amount of a rebate provided under this section shall be—

(1) for a 3-phase or single-phase transformer with a capacity of not less than 10 and not greater than 2,500 kilovolt-amperes, twice the amount equal to the difference in Watts between the core loss value (as measured in accordance with paragraphs (2) and (4) of subsection (c)) of—

(A) the qualified energy inefficient transformer; and

(B) the qualified energy efficient transformer; or

(2) for a transformer described in subsection (a)(2)(B)(i), the amount determined using a table of default rebate values by rated transformer output, as measured in kilovolt-amperes, as determined by the Secretary of Energy in consultation with applicable industry.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2021 and 2022, to remain available until expended.

(f) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates on December 31, 2022.

Subtitle C—Federal Agency Energy Efficiency

SEC. 1301. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

(a) IN GENERAL.—Subtitle C of title V of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1661) is amended by adding at the end the following:

''SEC. 530. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(2) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given that term in section 11101 of title 40, United States Code.

''(b) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this section, each Federal agency shall coordinate with the Director, the Secretary, and the Administrator of the Environmental Protection Agency to develop an implementation strategy (that includes best practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies at or for federally owned and operated facilities, taking into consideration the performance goals established under subsection (d).

''(c) ADMINISTRATION.—In developing an implementation strategy under subsection (b), each Federal agency shall consider—

''(1) advanced metering infrastructure;

''(2) energy-efficient data center strategies and methods of increasing asset and infrastructure utilization;

''(3) advanced power management tools;

''(4) building information modeling, including building energy management;

''(5) secure telework and travel substitution tools; and

''(6) mechanisms to ensure that the agency realizes the energy cost savings brought about through increased efficiency and utilization.

''(d) PERFORMANCE GOALS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information technology at or for federally owned and operated facilities.

''(2) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall recommend best practices for the attainment of the performance goals, which shall include Federal agency consideration of, to the extent applicable by law, the use of—

''(A) energy savings performance contracting; and

''(B) utility energy services contracting.

''(e) REPORTS.—

''(1) AGENCY REPORTS.—Each Federal agency shall include in the report of the agency under section 527 a description of the efforts and results of the agency under this section.

''(2) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2021, the Director shall include in the annual report and scorecard of the Director required under section 528 a description of the efforts and results of Federal agencies under this section.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 is amended by adding after the item relating to section 529 the following:

''Sec. 530. Energy-efficient and energy-saving information technologies.''.

SEC. 1302. ENERGY EFFICIENT DATA CENTERS.

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(D)(iv), by striking ''determined by the organization'' and inserting ''proposed by the stakeholders''; and

(B) by striking paragraph (3); and

(2) by striking subsections (c) through (g) and inserting the following:

''(c) STAKEHOLDER INVOLVEMENT.—The Secretary and the Administrator shall carry out subsection (b) in collaboration with information technology industry and other key stakeholders, with the goal of producing results that accurately reflect the most relevant and useful information. In such collaboration, the Secretary and the Administrator shall pay particular attention to organizations that—

''(1) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, such as representatives of hardware manufacturers, data center operators, and facility managers;

''(2) obtain and address input from Department of Energy National Laboratories or any college, university, research institution, industry association, company, or public interest group with applicable expertise;

''(3) follow—

''(A) commonly accepted procedures for the development of specifications; and

''(B) accredited standards development processes; and

''(4) have a mission to promote energy efficiency for data centers and information technology.

''(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the specifications, measurements, best practices, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

''(e) STUDY.—The Secretary, in collaboration with the Administrator, shall, not later than 4 years after the date of enactment of the Clean Economy Jobs and Innovation Act, make available to the public an update to the report of the Lawrence Berkeley National Laboratory entitled 'United States Data Center Energy Usage Report' and dated June, 2016 (prepared as an update to the Report to Congress on Server and Data Center Energy Efficiency, published on August 2, 2007, under section 1 of Public Law 109–431 (120 Stat. 2920)), that includes—

''(1) a comparison and gap analysis of the estimates and projections contained in the report with new data regarding the period from 2015 through 2020;

''(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

''(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

''(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

''(5) updated projections and recommendations for best practices through fiscal year 2025.

''(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in federally owned and operated data centers. Each Federal agency shall consider having the data centers of the agency evaluated every 4 years, in accordance with section 543(f) of the National Energy Conservation Policy Act, by energy practitioners certified pursuant to such program.

''(g) OPEN DATA INITIATIVE.—The Secretary, in collaboration with key stakeholders and the Office of Management and Budget, shall establish an open data initiative relating to energy usage at federally owned and operated data centers, with the purpose of making such data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation. In establishing the initiative, the Secretary shall consider the use of the online Data Center Maturity Model.

''(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

''(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate in the development of an

efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

''(j) PROTECTION OF PROPRIETARY INFORMATION.—The Secretary and the Administrator shall not disclose any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out this section or the programs and initiatives established under this section.''.

Subtitle D—Regulatory Provisions

PART 1—FEDERAL GREEN BUILDINGS

SEC. 1401. HIGH-PERFORMANCE GREEN FEDERAL BUILDINGS.

Section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) is amended—

(1) in the subsection heading, by striking ''SYSTEM'' and inserting ''SYSTEMS'';

(2) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Based on an ongoing review, the Federal Director shall identify and shall provide to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)) a list of those certification systems that the Director identifies as the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.''; and

(3) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''system'' and inserting ''systems'';

(B) by striking subparagraph (A) and inserting the following:

''(A) an ongoing review provided to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)), which shall—

''(i) be carried out by the Federal Director to compare and evaluate standards; and

''(ii) allow any developer or administrator of a rating system or certification system to be included in the review;'';

(C) in subparagraph (E)(v), by striking ''and'' after the semicolon at the end;

(D) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(G) a finding that, for all credits addressing the sourcing of grown, harvested, or mined materials, the system rewards the use of products that have obtained certifications of responsible sourcing, such as certifications provided by the Sustainable Forestry Initiative, the Forest Stewardship Council, the American Tree Farm System, or the Programme for the Endorsement of Forest Certification; and

''(H) a finding that the system incorporates life-cycle assessment as a credit pathway.''.

PART 2—ENERGY AND WATER PERFORMANCE REQUIREMENTS FOR FEDERAL BUILDINGS

SEC. 1411. FEDERAL ENERGY MANAGEMENT PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) The Federal Government is the largest energy user in the United States.

(2) Reducing energy and water use in Federal facilities—

(A) saves taxpayer dollars;

(B) reduces greenhouse gas emissions from the Federal sector; and

(C) increases employee comfort and productivity.

(3) It is important for the Federal Government to—

(A) develop goals for energy and water use reduction in Federal facilities; and

(B) to the maximum extent practicable, take measures that are life cycle cost effective.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Federal agencies should—

(1) for each of fiscal years 2020 through 2030, reduce average building energy intensity (as measured in British thermal units per gross square foot) at facilities of the agency by 2.5 percent each fiscal year, relative to the average building energy intensity of the facilities of the agency in fiscal year 2018; and

(2) for each of fiscal years 2020 through 2030, improve water use efficiency and management, including stormwater management, at facilities of the agency by reducing agency water consumption intensity—

(A) by reducing the potable water consumption by 54 percent by fiscal year 2030, relative to the potable water consumption of the agency in fiscal year 2007, through reductions of 2 percent each fiscal year (as measured in gallons per gross square foot);

(B) by reducing the industrial, landscaping, and agricultural water consumption of the agency, as compared to a baseline of that consumption by the agency in fiscal year 2010, through reductions of 2 percent each fiscal year (as measured in gallons); and

(C) by installing appropriate infrastructure features on federally owned property to improve stormwater and wastewater management.

(c) ENERGY MANAGEMENT REQUIREMENTS.—Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended by adding at the end the following:

''(h) FEDERAL ENERGY MANAGEMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a program, to be known as the 'Federal Energy Management Program' (referred to in this subsection as the 'Program'), to facilitate the implementation by the Federal Government of cost-effective energy and water management and energy-related investment practices—

''(A) to coordinate and strengthen Federal energy and water resilience; and

''(B) to promote environmental stewardship.

''(2) FEDERAL DIRECTOR.—The Secretary shall appoint an individual to serve as the director of the Program (referred to in this subsection as the 'Federal Director'), which shall be a career position in the Senior Executive service, to administer the Program.

''(3) PROGRAM ACTIVITIES.—

''(A) STRATEGIC PLANNING AND TECHNICAL ASSISTANCE.—In administering the Program, the Federal Director shall—

''(i) provide technical assistance and project implementation support and guidance to agencies to identify, implement, procure, and track energy and water conservation measures required under this Act and under other provisions of law;

''(ii) in coordination with the Administrator of the General Services Administration, establish appropriate procedures, methods, and best practices for use by agencies to select, monitor, and terminate contracts entered into pursuant to a utility incentive program under section 546(c) with utilities;

''(iii) carry out the responsibilities of the Secretary under section 801, as determined appropriate by the Secretary;

''(iv) establish and maintain internet-based information resources and project tracking systems and tools for energy and water management;

''(v) coordinate comprehensive and strategic approaches to energy and water resilience planning for agencies; and

''(vi) establish a recognition program for Federal achievement in energy and water management, energy-related investment practices, environmental stewardship, and other relevant areas, through events such as individual recognition award ceremonies and public announcements.

''(B) ENERGY AND WATER MANAGEMENT AND REPORTING.—In administering the Program, the Federal Director shall—

''(i) track and report on the progress of agencies in meeting the requirements of the agency under this section;

''(ii) make publicly available agency performance data required under—

''(I) this section and sections 544, 546, 547, and 548; and

''(II) section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852);

''(iii)(I) collect energy and water use and consumption data from each agency; and

''(II) based on that data, submit to each agency a report that will facilitate the energy and water management, energy-related investment practices, and environmental stewardship of the agency in support of Federal goals under this Act and under other provisions of law;

''(iv) carry out the responsibilities of the Secretary under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834);

''(v) in consultation with the Administrator of the General Services Administration, acting through the head of the Office of High-Performance Green Buildings, establish and implement sustainable design principles for Federal facilities; and

''(vi) designate products that meet the highest energy conservation standards for categories not covered under the Energy Star program established under section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a).

''(C) FEDERAL INTERAGENCY COORDINATION.—In administering the Program, the Federal Director shall—

''(i) develop and implement accredited training consistent with existing Federal programs and activities—

''(I) relating to energy and water use, management, and resilience in Federal facilities, energy-related investment practices, and environmental stewardship; and

''(II) that includes in-person training, internet-based programs, and national in-person training events;

''(ii) carry out the functions of the Secretary with respect to the Interagency Energy Management Task Force under section 547; and

''(iii) report on the implementation of the priorities of the President, including Executive orders, relating to energy and water use in Federal facilities, in coordination with—

''(I) the Office of Management and Budget;

''(II) the Council on Environmental Quality; and

''(III) any other entity, as considered necessary by the Federal Director.

''(D) FACILITY AND FLEET OPTIMIZATION.—In administering the Program, the Federal Director shall develop guidance, supply assistance to, and track the progress of agencies—

''(i) in conducting portfolio-wide facility energy and water resilience planning and project integration;

''(ii) in building new construction and major renovations to meet the sustainable design and energy and water performance standards required under this section;

''(iii) in developing guidelines for—

''(I) facility commissioning; and

''(II) facility operations and maintenance; and

''(iv) in coordination with the Administrator of the General Services Administration, in meeting statutory and agency goals for Federal fleet vehicles.

''(4) MANAGEMENT COUNCIL.—The Federal Director shall establish a management council to advise the Federal Director that shall—

''(A) convene not less frequently than once every quarter; and

''(B) consist of representatives from—

''(i) the Council on Environmental Quality;

''(ii) the Office of Management and Budget; and

''(iii) the Office of Federal High-Performance Green Buildings in the General Services Administration.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection $36,000,000 for each of fiscal years 2021 through 2025.''.

SEC. 1412. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION SYSTEM AND LEVEL FOR GREEN BUILDINGS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is further amended by adding at the end the following:

''(19) MAJOR RENOVATION.—The term 'major renovation' means a modification of the energy systems of a building that is sufficiently extensive to ensure that the entire building can achieve compliance with applicable energy standards for new buildings, as established by the Secretary.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended—

(1) in subsection (a)(3)—

(A) by striking ''(3)(A) Not later than'' and all that follows through subparagraph (B) and inserting the following:

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Clean Economy Jobs and Innovation Act, the Secretary shall establish, by regulation, revised Federal building energy efficiency performance standards that require that—

''(I) subject to clause (ii), new Federal buildings and Federal buildings with major renovations—

''(aa) meet or exceed the most recently published version of the International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) as of the date of enactment of the Clean Economy Jobs and Innovation Act; and

''(bb) meet or exceed the energy provisions of the State and local building codes applicable to the building if the codes are more stringent than the most recently published version of the International Energy Conservation Code or ASHRAE Standard 90.1 as of the date of enactment of the Clean Economy Jobs and Innovation Act, as applicable;

''(II) unless demonstrated not to be life cycle cost-effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings shall be designed to achieve energy consumption levels that are not less than 30 percent below the levels established in the most recently published version of the International Energy Conservation Code or the ASHRAE Standard, as of the date of enactment of the Clean Economy Jobs and Innovation Act, as appropriate; and

''(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

''(ii) EXCEPTION.—Clause (i)(I) shall not apply to the unaltered portions of Federal buildings and systems that have undergone major renovations.

''(B) UPDATES.—Not later than 1 year after the date of approval of each subsequent revision of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, the Secretary shall determine whether the revised standards established under subclauses (I) and (II) of subparagraph (A)(i) should be updated to reflect the revisions, based on the energy savings and life cycle cost-effectiveness of the revisions.'';

(B) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(C) BUDGET REQUEST.—In the budget request''; and

(C) in subparagraph (D)—

(i) by striking subclause (III) of clause (i);

(ii) by striking ''(D) Not later than'' and inserting the following:

''(D) STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(i) STANDARDS.—Not later than'';

(iii) by striking ''standards that require that:'' and all that follows through ''For new Federal buildings'' and inserting ''standards that require that, for new buildings''; and

(iv) by striking clauses (ii) through (vii) and inserting the following:

''(ii) SUSTAINABLE DESIGN PRINCIPLES.—Sustainable design principles shall be applied to the siting, design, and construction of buildings covered by this subparagraph.

''(iii) SELECTION OF CERTIFICATION SYSTEMS.—The Secretary, after reviewing the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)), in consultation with the Administrator of General Services, and in consultation with the Secretary of Defense relating to those facilities under the custody and control of the Department of Defense, shall determine those certification systems for green commercial and residential buildings that the Secretary determines to be the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.

''(iv) BASIS FOR SELECTION.—The determination of the certification systems under clause (iii) shall be based on ongoing review of the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) and the criteria described in clause (vi).

''(v) ADMINISTRATION.—In determining certification systems under this subparagraph, the Secretary shall—

''(I) make a separate determination for all or part of each system; and

''(II) confirm that the criteria used to support the selection of building products, materials, brands, and technologies—

''(aa) are based on relevant technical data;

''(bb) use and reward evaluation of health, safety, and environmental risks and impacts across the lifecycle of the building product, material, brand, or technology, including methodologies generally accepted by the applicable scientific disciplines;

''(cc) as practicable, give preference to performance standards instead of prescriptive measures; and

''(dd) reward continual improvements in the lifecycle management of health, safety, and environmental risks and impacts.

''(vi) CONSIDERATIONS.—In determining the green building certification systems under this subparagraph, the Secretary shall take into consideration—

''(I) the ability and availability of assessors and auditors to independently verify the criteria and measurement of metrics at the scale necessary to implement this subparagraph;

''(II) the ability of the applicable certification organization to collect and reflect public comment;

''(III) the ability of the standard to be developed and revised through a consensus-based process;

''(IV) an evaluation of the robustness of the criteria for a high-performance green building, which shall give credit for promoting—

''(aa) efficient and sustainable use of water, energy, and other natural resources;

''(bb) use of renewable energy sources;

''(cc) improved indoor environmental quality through enhanced indoor air quality, thermal comfort, acoustics, day lighting, pollutant source control, and use of low-emission materials and building system controls;

''(dd) the responsible sourcing of grown, harvested, or mined materials, including through certifications of responsible sourcing, such as certifications provided by the Forest Stewardship Council, the Sustainable Forestry Initiative, the American Tree Farm System, or the Programme for the Endorsement of Forest Certification; and

''(ee) such other criteria as the Secretary determines to be appropriate; and

''(V) national recognition within the building industry.

''(vii) REVIEW.—The Secretary, in consultation with the Administrator of General Services and the Secretary of Defense, shall conduct an ongoing review to evaluate and compare private sector green building certification systems, taking into account—

''(I) the criteria described in clause (vi); and

''(II) the identification made by the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)).

''(viii) EXCLUSIONS.—

''(I) IN GENERAL.—Subject to subclause (II), if a certification system fails to meet the review requirements of clause (vi), the Secretary shall—

''(aa) identify the portions of the system, whether prerequisites, credits, points, or otherwise, that meet the review criteria of clause (vi);

''(bb) determine the portions of the system that are suitable for use; and

''(cc) exclude all other portions of the system from identification and use.

''(II) ENTIRE SYSTEMS.—The Secretary shall exclude an entire system from use if an exclusion under subclause (I)—

''(aa) impedes the integrated use of the system;

''(bb) creates disparate review criteria or unequal point access for competing materials; or

''(cc) increases agency costs of the use.

''(ix) INTERNAL CERTIFICATION PROCESSES.—The Secretary may by rule allow Federal agencies to develop internal certification processes, using certified professionals, in lieu of certification by certification entities identified under clause (iii).

''(x) PRIVATIZED MILITARY HOUSING.—With respect to privatized military housing, the Secretary of Defense, after consultation with the Secretary may, through rulemaking, develop alternative certification systems and levels than the systems and levels identified under clause (iii) that achieve an equivalent result in terms of energy savings, sustainable design, and green building performance.

''(xi) WATER CONSERVATION TECHNOLOGIES.—In addition to any use of water conservation technologies otherwise required by this section, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost-effective.

''(xii) EFFECTIVE DATE.—

''(I) DETERMINATIONS MADE AFTER DECEMBER 31, 2020.—The amendments made by section 1422(b)(1)(C) of the Clean Economy Jobs and Innovation Act shall apply to any determination made by a Federal agency after December 31, 2020.

''(II) DETERMINATIONS MADE ON OR BEFORE DECEMBER 31, 2020.—This subparagraph (as in effect on the day before the date of enactment of the Clean Economy Jobs and Innovation Act) shall apply to any use of a certification system for green commercial and residential buildings by a Federal agency on or before December 31, 2020.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) once every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), if the Secretary determines that significant energy savings would result, upgrade

the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.''.

(c) FEDERAL COMPLIANCE.—Section 306 of the Energy Conservation and Production Act (42 U.S.C. 6835) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''(1) The head'' and inserting the following:

''(1) IN GENERAL.—The head''; and

(ii) by striking ''assure that new Federal buildings'' and inserting ''ensure that new Federal buildings and Federal buildings with major renovations''; and

(B) in paragraph (2)—

(i) by striking the second sentence and inserting the following:

''(B) PROCEDURES.—The Architect of the Capitol shall adopt procedures necessary to ensure that the buildings referred to in subparagraph (A) meet or exceed the standards described in that subparagraph.''; and

(ii) in the first sentence—

(I) by inserting ''and Federal buildings with major renovations'' after ''new buildings''; and

(II) by striking ''(2) The Federal'' and inserting the following:

''(2) APPLICABILITY.—

''(A) IN GENERAL.—The Federal''; and

(2) in subsection (b)—

(A) by striking the subsection heading and inserting ''EXPENDITURES''; and

(B) by inserting ''or a Federal building with major renovations'' after ''new Federal building''.

SEC. 1413. USE OF ENERGY AND WATER EFFICIENCY MEASURES IN FEDERAL BUILDINGS.

(a) FINDINGS.—Congress finds the following:

(1) Performance contracting is a private financing tool with guaranteed energy savings and has been used by the Federal Government for nearly 30 years.

(2) Energy savings performance contracts and utility energy service contacts allow the Government to invest in infrastructure using private sector financing and expertise, with a guarantee of results.

(3) Use of performance contracting has saved the Government and taxpayers more than $18,000,000,000.

(4) By law, performance contracts are guaranteed to provide savings to Federal agencies.

(5) On average, performance contracts achieve savings in excess of the contractual and statutory guarantee.

(6) In a fiscally constrained environment, performance contracting helps to address the Federal Government's backlog of maintenance and supplement scarce operations and maintenance dollars.

(7) The House of Representatives, the Senate, and the Office of Management and Budget have all acted to recognize the value of performance contracts by providing distinct budgetary consideration of them; in the 115th Congress, the House of Representatives included section 5109 in H. Con. Res. 71 to enable the greater use of performance contracting and to recognize their full cost savings benefits.

(8) Federal agencies are not taking full advantage of the cost-effective energy efficiency measures that are available and documented.

(9) Using performance contracts to carry out such energy efficiency measures would benefit taxpayers, the economy, and the environment.

(b) REPORTS.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8258(b)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5)(A) the status of the energy savings performance contracts and utility energy service contracts of each agency, to the extent that the information is not duplicative of information provided to the Secretary under a separate authority;

''(B) the quantity and investment value of the contracts for the previous year;

''(C) the guaranteed energy savings, or for contracts without a guarantee, the estimated energy savings, for the previous year, as compared to the measured energy savings for the previous year;

''(D) a forecast of the estimated quantity and investment value of contracts anticipated in the following year for each agency; and

''(E)(i) a comparison of the information described in subparagraph (B) and the forecast described in subparagraph (D) in the report of the previous year; and

''(ii) if applicable, the reasons for any differences in the data compared under clause (i).''.

Subtitle E—HOPE for HOMES

SEC. 1501. DEFINITIONS.

In this subtitle:

(1) CONTRACTOR CERTIFICATION.—The term ''contractor certification'' means an industry recognized certification that may be obtained by a residential contractor to advance the expertise and education of the contractor in energy efficiency retrofits of residential buildings, including—

(A) a certification provided by—

(i) the Building Performance Institute;

(ii) the Air Conditioning Contractors of America;

(iii) the National Comfort Institute;

(iv) the North American Technician Excellence;

(v) RESNET;

(vi) the United States Green Building Council; or

(vii) Home Innovation Research Labs; and

(B) any other certification the Secretary determines appropriate for purposes of the Home Energy Savings Retrofit Rebate Program.

(2) CONTRACTOR COMPANY.—The term ''contractor company'' means a company—

(A) the business of which is to provide services to residential building owners with respect to HVAC systems, insulation, air sealing, or other services that are approved by the Secretary;

(B) that holds the licenses and insurance required by the State in which the company provides services; and

(C) that provides services for which a partial system rebate, measured performance rebate, or modeled performance rebate may be provided pursuant to the Home Energy Savings Retrofit Rebate Program.

(3) ENERGY AUDIT.—The term ''energy audit'' means an inspection, survey, and analysis of the energy use of a building, including the building envelope and HVAC system.

(4) HOME.—The term ''home'' means a residential dwelling unit in a building with no more than 4 dwelling units that—

(A) is located in the United States;

(B) was constructed before the date of enactment of this Act; and

(C) is occupied at least 6 months out of the year.

(5) HOME ENERGY SAVINGS RETROFIT REBATE PROGRAM.—The term ''Home Energy Savings Retrofit Rebate Program'' means the Home Energy Savings Retrofit Rebate Program established under section 1521.

(6) HOMEOWNER.—The term ''homeowner'' means the owner of an owner-occupied home or a tenant-occupied home.

(7) HOME VALUATION CERTIFICATION.—The term ''home valuation certification'' means the following home assessments:

(A) Home Energy Score.

(B) PEARL Certification.

(C) National Green Building Standard.

(D) LEED.

(E) Any other assessment the Secretary determines to be appropriate.

(8) HOPE QUALIFICATION.—The term ''HOPE Qualification'' means the qualification described in section 1513.

(9) HOPE TRAINING CREDIT.—The term ''HOPE training credit'' means a HOPE training task credit or a HOPE training supplemental credit.

(10) HOPE TRAINING TASK CREDIT.—The term ''HOPE training task credit'' means a credit described in section 1512(a).

(11) HOPE TRAINING SUPPLEMENTAL CREDIT.—The term ''HOPE training supplemental credit'' means a credit described in section 1512(b).

(12) HVAC SYSTEM.—The term ''HVAC system'' means a system—

(A) consisting of a heating component, a ventilation component, and an air-conditioning component; and

(B) which components may include central air conditioning, a heat pump, a furnace, a boiler, a rooftop unit, and a window unit.

(13) MEASURED PERFORMANCE REBATE.—The term ''measured performance rebate'' means a rebate provided in accordance with section 1523 and described in subsection (e) of that section.

(14) MODELED PERFORMANCE REBATE.—The term ''modeled performance rebate'' means a rebate provided in accordance with section 1523 and described in subsection (d) of that section.

(15) MODERATE INCOME.—The term ''moderate income'' means, with respect to a household, a household with an annual income that is less than 80 percent of the area median income, as determined annually by the Department of Housing and Urban Development.

(16) PARTIAL SYSTEM REBATE.—The term ''partial system rebate'' means a rebate provided in accordance with section 1522.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(18) STATE.—The term ''State'' includes—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the United States Virgin Islands; and

(H) any other territory or possession of the United States.

(19) STATE ENERGY OFFICE.—The term ''State energy office'' means the office or agency of a State responsible for developing the State energy conservation plan for the State under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

PART 1—HOPE TRAINING

SEC. 1511. NOTICE FOR HOPE QUALIFICATION TRAINING AND GRANTS.

Not later than 30 days after the date of enactment of this Act, the Secretary, acting through the Director of the Building Technologies Office of the Department of Energy, shall issue a notice that includes—

(1) criteria established under section 1512 for approval by the Secretary of courses for which credits may be issued for purposes of a HOPE Qualification;

(2) a list of courses that meet such criteria and are so approved; and

(3) information on how individuals and entities may apply for grants under this part.

SEC. 1512. COURSE CRITERIA.

(a) HOPE TRAINING TASK CREDIT.—

(1) CRITERIA.—The Secretary shall establish criteria for approval of a course for which a credit, to be known as a HOPE training task credit, may be issued, including that such course—

(A) is equivalent to at least 30 hours in total course time;

(B) is accredited by the Interstate Renewable Energy Council or is determined to be equivalent by the Secretary;

(C) is, with respect to a particular job, aligned with the relevant National Renewable Energy

Laboratory Job Task Analysis, or other credentialing program foundation that helps identify the necessary core knowledge areas, critical work functions, or skills, as approved by the Secretary;

(D) has established learning objectives; and

(E) includes, as the Secretary determines appropriate, an appropriate assessment of such learning objectives that may include a final exam, to be proctored on-site or through remote proctoring, or an in-person field exam.

(2) INCLUDED COURSES.—The Secretary shall approve one or more courses that meet the criteria described in paragraph (1) for training related to—

(A) contractor certification;

(B) energy auditing or assessment;

(C) home energy systems (including HVAC systems);

(D) insulation installation and air leakage control;

(E) health and safety regarding the installation of energy efficiency measures or health and safety impacts associated with energy efficiency retrofits; and

(F) indoor air quality.

(b) HOPE TRAINING SUPPLEMENTAL CREDIT CRITERIA.—The Secretary shall establish criteria for approval of a course for which a credit, to be known as a HOPE training supplemental credit, may be issued, including that such course provides—

(1) training related to—

(A) small business success, including management, home energy efficiency software, or general accounting principles;

(B) the issuance of a home valuation certification;

(C) the use of wifi-enabled technology in an energy efficiency upgrade; or

(D) understanding and being able to participate in the Home Energy Savings Retrofit Rebate Program; and

(2) as the Secretary determines appropriate, an appropriate assessment of such training that may include a final exam, to be proctored on-site or through remote proctoring, or an in-person field exam.

(c) EXISTING APPROVED COURSES.—The Secretary may approve a course that meets the applicable criteria established under this section that is approved by the applicable State energy office or relevant State agency with oversight authority for residential energy efficiency programs.

(d) IN-PERSON AND ONLINE TRAINING.—An online course approved pursuant to this section may be conducted in-person, but may not be offered exclusively in-person.

SEC. 1513. HOPE QUALIFICATION.

(a) ISSUANCE OF CREDITS.—

(1) IN GENERAL.—The Secretary, or an entity authorized by the Secretary pursuant to paragraph (2), may issue—

(A) a HOPE training task credit to any individual that completes a course that meets applicable criteria under section 1512; and

(B) a HOPE training supplemental credit to any individual that completes a course that meets the applicable criteria under section 1512.

(2) OTHER ENTITIES.—The Secretary may authorize a State energy office implementing an authorized program under subsection (b)(2), an organization described in section 1514(b), and any other entity the Secretary determines appropriate, to issue HOPE training credits in accordance with paragraph (1).

(b) HOPE QUALIFICATION.—

(1) IN GENERAL.—The Secretary may certify that an individual has achieved a qualification, to be known as a HOPE Qualification, that indicates that the individual has received at least 3 HOPE training credits, of which at least 2 shall be HOPE training task credits.

(2) STATE PROGRAMS.—The Secretary may authorize a State energy office to implement a program to provide HOPE Qualifications in accordance with this part.

SEC. 1514. GRANTS.

(a) IN GENERAL.—The Secretary shall, to the extent amounts are made available in appropriations Acts for such purposes, provide grants to support the training of individuals toward the completion of a HOPE Qualification.

(b) PROVIDER ORGANIZATIONS.—

(1) IN GENERAL.—The Secretary may provide a grant of up to $20,000 under this section to an organization to provide training online, including establishing, modifying, or maintaining the online systems, staff time, and software and online program management, through a course that meets the applicable criteria established under section 1512.

(2) CRITERIA.—In order to receive a grant under this subsection, an organization shall be—

(A) a nonprofit organization;

(B) an educational institution; or

(C) an organization that has experience providing training to contractors that work with the weatherization assistance program implemented under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.) or equivalent experience, as determined by the Secretary.

(3) ADDITIONAL CERTIFICATIONS.—In addition to any grant provided under paragraph (1), the Secretary may provide an organization up to $5,000 for each additional course for which a HOPE training credit may be issued that is offered by the organization.

(c) CONTRACTOR COMPANY.—The Secretary may provide a grant under this section of $1,000 per employee to a contractor company, up to a maximum of $10,000, to reimburse the contractor company for training costs for employees, and any home technology support needed for an employee to receive training pursuant to this section. Grant funds provided under this subsection may be used to support wages of employees during training.

(d) TRAINEES.—The Secretary may provide a grant of up to $1,000 under this section to an individual who receives a HOPE Qualification.

(e) STATE ENERGY OFFICE.—The Secretary may provide a grant under this section to a State energy office of up to $25,000 to implement an authorized program under section 1513(b).

SEC. 1515. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this part $500,000,000 for the period of fiscal years 2021 through 2025, to remain available until expended.

PART 2—HOME ENERGY SAVINGS RETROFIT REBATE PROGRAM

SEC. 1521. ESTABLISHMENT OF HOME ENERGY SAVINGS RETROFIT REBATE PROGRAM.

The Secretary shall establish a program, to be known as the Home Energy Savings Retrofit Rebate Program, to—

(1) provide rebates in accordance with section 1522; and

(2) provide grants to States to carry out programs to provide rebates in accordance with section 1523.

SEC. 1522. PARTIAL SYSTEM REBATES.

(a) AMOUNT OF REBATE.—In carrying out the Home Energy Savings Retrofit Rebate Program, and subject to the availability of appropriations for such purpose, the Secretary shall provide a homeowner a rebate, to be known as a partial system rebate, of, except as provided in section 1524, up to—

(1) $800 for the purchase and installation of insulation and air sealing within a home of the homeowner; and

(2) $1,500 for the purchase and installation of insulation and air sealing within a home of the homeowner and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, of such home.

(b) SPECIFICATIONS.—

(1) COST.—The amount of a partial system rebate provided under this section shall, except as provided in section 1524, not exceed 30 percent of cost of the purchase and installation of insulation and air sealing under subsection (a)(1), or the purchase and installation of insulation and air sealing and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, under subsection (a)(2). Labor may be included in such cost but may not exceed—

(A) in the case of a rebate under subsection (a)(1), 50 percent of such cost; and

(B) in the case of a rebate under subsection (a)(2), 25 percent of such cost.

(2) REPLACEMENT OF AN HVAC SYSTEM, THE HEATING COMPONENT OF AN HVAC SYSTEM, OR THE COOLING COMPONENT OF AN HVAC SYSTEM.—In order to qualify for a partial system rebate described in subsection (a)(2)—

(A) any HVAC system, heating component of an HVAC system, or cooling component of an HVAC system installed shall be Energy Star Most Efficient certified;

(B) installation of such an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, shall be completed in accordance with standards specified by the Secretary that are at least as stringent as the applicable guidelines of the Air Conditioning Contractors of America that are in effect on the date of enactment of this Act;

(C) if ducts are present, replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system shall include duct sealing; and

(D) the installation of insulation and air sealing shall occur within 6 months of the replacement of the HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system.

(c) ADDITIONAL INCENTIVES FOR CONTRACTORS.—In carrying out the Home Energy Savings Retrofit Rebate Program, the Secretary may provide a $250 payment to a contractor per home for which—

(1) a partial system rebate is provided under this section for the installation of insulation and air sealing, or installation of insulation and air sealing and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, by the contractor;

(2) the applicable homeowner has signed and submitted to the Secretary a release form made available pursuant to section 1526(b) authorizing the contractor access to information in the utility bills of the homeowner; and

(3) the contractor inputs, into the Department of Energy's Building Performance Database—

(A) the energy usage for the home for the 12 months preceding, and the 24 months following, the installation of insulation and air sealing or installation of insulation and air sealing and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system;

(B) a description of such installation or installation and replacement; and

(C) the total cost to the homeowner for such installation or installation and replacement.

(d) PROCESS.—

(1) FORMS; REBATE PROCESSING SYSTEM.—Not later than 90 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall—

(A) develop and make available rebate forms required to receive a partial system rebate under this section;

(B) establish a Federal rebate processing system which shall serve as a database and information technology system that will allow homeowners to submit required rebate forms; and

(C) establish a website that provides information on partial system rebates provided under this section, including how to determine whether particular measures qualify for a rebate under this section and how to receive such a rebate.

(2) SUBMISSION OF FORMS.—In order to receive a partial system rebate under this section, a

homeowner shall submit the required rebate forms, and any other information the Secretary determines appropriate, to the Federal rebate processing system established pursuant to paragraph (1).

(e) FUNDING.—

(1) LIMITATION.—For each fiscal year, the Secretary may not use more than 50 percent of the amounts made available to carry out this part to carry out this section.

(2) ALLOCATION.—The Secretary shall allocate amounts made available to carry out this section for partial system rebates among the States using the same formula as is used to allocate funds for States under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

SEC. 1523. STATE ADMINISTERED REBATES.

(a) FUNDING.—In carrying out the Home Energy Savings Retrofit Rebate Program, and subject to the availability of appropriations for such purpose, the Secretary shall provide grants to States to carry out programs to provide rebates in accordance with this section.

(b) STATE PARTICIPATION.—

(1) PLAN.—In order to receive a grant under this section a State shall submit to the Secretary an application that includes a plan to implement a State program that meets the minimum criteria under subsection (c).

(2) APPROVAL.—Not later than 60 days after receipt of a completed application for a grant under this section, the Secretary shall either approve the application or provide to the applicant an explanation for denying the application.

(c) MINIMUM CRITERIA FOR STATE PROGRAMS.—Not later than 6 months after the date of enactment of this Act, the Secretary shall establish and publish minimum criteria for a State program to meet to qualify for funding under this section, including—

(1) that the State program be carried out by the applicable State energy office or its designee;

(2) that a rebate be provided under a State program only for a home energy efficiency retrofit that—

(A) is completed by a contractor who meets minimum training requirements and certification requirements set forth by the Secretary;

(B) includes installation of one or more home energy efficiency retrofit measures for a home that together are modeled to achieve, or are shown to achieve, a reduction in home energy use of 20 percent or more from the baseline energy use of the home;

(C) does not include installation of any measure that the Secretary determines does not improve the thermal energy performance of the home, such as a pool pump, pool heater, spa, or EV charger; and

(D) includes, after installation of the applicable home energy efficiency retrofit measures, a test-out procedure conducted in accordance with guidelines issued by the Secretary of such measures to ensure—

(i) the safe operation of all systems post retrofit; and

(ii) that all improvements are included in, and have been installed according to—

(I) manufacturers installation specifications; and

(II) all applicable State and local codes or equivalent standards approved by the Secretary;

(3) that the State program utilize—

(A) for purposes of modeled performance rebates, modeling software approved by the Secretary for determining and documenting the baseline energy use of a home and the reductions in home energy use resulting from the implementation of a home energy efficiency retrofit; and

(B) for purposes of measured performance rebates, methods and procedures approved by the Secretary for determining and documenting the baseline energy use of a home and the reductions in home energy use resulting from the implementation of a home energy efficiency retrofit, including methods and procedures for use of advanced metering infrastructure, weather-normalized data, and open source standards, to measure such baseline energy use and such reductions in home energy use;

(4) that the State program include implementation of a quality assurance program—

(A) to ensure that home energy efficiency retrofits are achieving the stated level of energy savings, that efficiency measures were installed correctly, and that work is performed in accordance with procedures developed by the Secretary, including through quality-control inspections for a portion of home energy efficiency retrofits completed by each applicable contractor; and

(B) under which a quality-control inspection of a home energy efficiency retrofit is performed by a quality assurance provider who—

(i) is independent of the contractor for such retrofit; and

(ii) will confirm that such contractor is a contractor who meets minimum training requirements and certification requirements set forth by the Secretary;

(5) that the State program include requirements for a homeowner, contractor, or rebate aggregator to claim a rebate, including that the homeowner, contractor, or rebate aggregator submit any applicable forms approved by the Secretary to the State, including a copy of the certificate provided by the applicable contractor certifying projected or measured reduction of home energy use;

(6) that the State program may include requirements for an entity to be eligible to serve as a rebate aggregator to facilitate the delivery of rebates to homeowners or contractors;

(7) that the State program include procedures for a homeowner to transfer the right to claim a rebate to the contractor performing the applicable home energy efficiency retrofit or to a rebate aggregator that works with the contractor; and

(8) that the State program provide that a homeowner, contractor, or rebate aggregator may claim more than one rebate under the State program, and may claim a rebate under the State program after receiving a partial system rebate under section 1522, provided that no 2 rebates may be provided with respect to a home using the same baseline energy use of such home.

(d) MODELED PERFORMANCE REBATES.—

(1) IN GENERAL.—In carrying out a State program under this section, a State may provide a homeowner, contractor, or rebate aggregator a rebate, to be known as a modeled performance rebate, for an energy audit of a home and a home energy efficiency retrofit that is projected, using modeling software approved by the Secretary, to reduce home energy use by at least 20 percent.

(2) AMOUNT.—

(A) IN GENERAL.—Except as provided in section 1524, and subject to subparagraph (B), the amount of a modeled performance rebate provided under a State program shall be equal to 50 percent of the cost of the applicable energy audit of a home and home energy efficiency retrofit, including the cost of diagnostic procedures, labor, reporting, and modeling.

(B) LIMITATION.—Except as provided in section 1524, with respect to an energy audit and home energy efficiency retrofit that is projected to reduce home energy use by—

(i) at least 20 percent, but less than 40 percent, the maximum amount of a modeled performance rebate shall be $2,000; and

(ii) at least 40 percent, the maximum amount of a modeled performance rebate shall be $4,000.

(e) MEASURED PERFORMANCE REBATES.—

(1) IN GENERAL.—In carrying out a State program under this section, a State may provide a homeowner, contractor, or rebate aggregator a rebate, to be known as a measured performance rebate, for a home energy efficiency retrofit that reduces home energy use by at least 20 percent as measured using methods and procedures approved by the Secretary.

(2) AMOUNT.—

(A) IN GENERAL.—Except as provided in section 1524, and subject to subparagraph (B), the amount of a measured performance rebate provided under a State program shall be equal to 50 percent of the cost, including the cost of diagnostic procedures, labor, reporting, and energy measurement, of the applicable home energy efficiency retrofit.

(B) LIMITATION.—Except as provided in section 1524, with respect to a home energy efficiency retrofit that is measured as reducing home energy use by—

(i) at least 20 percent, but less than 40 percent, the maximum amount of a measured performance rebate shall be $2,000; and

(ii) at least 40 percent, the maximum amount of a measured performance rebate shall be $4,000.

(f) COORDINATION OF REBATE AND EXISTING STATE-SPONSORED OR UTILITY-SPONSORED PROGRAMS.—A State that receives a grant under this section is encouraged to work with State agencies, energy utilities, nonprofits, and other entities—

(1) to assist in marketing the availability of the rebates under the applicable State program;

(2) to coordinate with utility or State managed financing programs;

(3) to assist in implementation of the applicable State program, including installation of home energy efficiency retrofits; and

(4) to coordinate with existing quality assurance programs.

(g) ADMINISTRATION AND OVERSIGHT.—

(1) REVIEW OF APPROVED MODELING SOFTWARE.—The Secretary shall, on an annual basis, list and review all modeling software approved for use in determining and documenting the reductions in home energy use for purposes of modeled performance rebates under subsection (d). In approving such modeling software each year, the Secretary shall ensure that modeling software approved for a year will result in modeling of energy efficiency gains for any type of home energy efficiency retrofit that is at least as substantial as the modeling of energy efficiency gains for such type of home energy efficiency retrofit using the modeling software approved for the previous year.

(2) OVERSIGHT.—If the Secretary determines that a State is not implementing a State program that was approved pursuant to subsection (b) and that meets the minimum criteria under subsection (c), the Secretary may, after providing the State a period of at least 90 days to meet such criteria, withhold grant funds under this section from the State.

SEC. 1524. SPECIAL PROVISIONS FOR MODERATE INCOME HOUSEHOLDS.

(a) CERTIFICATIONS.—The Secretary shall establish procedures for certifying that the household of a homeowner is moderate income for purposes of this section.

(b) PERCENTAGES.—Subject to subsection (c), for households of homeowners that are certified pursuant to the procedures established under subsection (a) as moderate income the—

(1) amount of a partial system rebate under section 1522 shall not exceed 60 percent of the applicable purchase and installation costs described in section 1522(b)(1); and

(2) amount of—

(A) a modeled performance rebate under section 1523 provided shall be equal to 80 percent of the applicable costs described in section 1523(d)(2)(A); and

(B) a measured performance rebate under section 1523 provided shall be equal to 80 percent of the applicable costs described in section 1523(e)(2)(A).

(c) MAXIMUM AMOUNTS.—For households of homeowners that are certified pursuant to the procedures established under subsection (a) as moderate income the maximum amount—

(1) of a partial system rebate—

(A) under section 1522(a)(1) for the purchase and installation of insulation and air sealing within a home of the homeowner shall be $1600; and

(B) under section 1522(a)(2) for the purchase and installation of insulation and air sealing within a home of the homeowner and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, of such home, shall be $3,000;

(2) of a modeled performance rebate under section 1523 for an energy audit and home energy efficiency retrofit that is projected to reduce home energy use as described in—

(A) section 1523(d)(2)(B)(i) shall be $4,000; and

(B) section 1523(d)(2)(B)(ii) shall be $8,000; and

(3) of a measured performance rebate under section 1523 for a home energy efficiency retrofit that reduces home energy use as described in—

(B) section 1523(e)(2)(B)(i) shall be $4,000; and

(C) section 1523(e)(2)(B)(ii) shall be $8,000.

(d) OUTREACH.—The Secretary shall establish procedures to—

(1) provide information to households of homeowners that are certified pursuant to the procedures established under subsection (a) as moderate income regarding other programs and resources relating to assistance for energy efficiency upgrades of homes, including the weatherization assistance program implemented under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.); and

(2) refer such households, as applicable, to such other programs and resources.

SEC. 1525. EVALUATION REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act and annually thereafter until the termination of the Home Energy Savings Retrofit Rebate Program, the Secretary shall submit to Congress a report on the use of funds made available to carry out this part.

(b) CONTENTS.—Each report submitted under subsection (a) shall include—

(1) how many home energy efficiency retrofits have been completed during the previous year under the Home Energy Savings Retrofit Rebate Program;

(2) an estimate of how many jobs have been created through the Home Energy Savings Retrofit Rebate Program, directly and indirectly;

(3) a description of what steps could be taken to promote further deployment of energy efficiency and renewable energy retrofits;

(4) a description of the quantity of verifiable energy savings, homeowner energy bill savings, and other benefits of the Home Energy Savings Retrofit Rebate Program;

(5) a description of any waste, fraud, or abuse with respect to funds made available to carry out this part; and

(6) any other information the Secretary considers appropriate.

SEC. 1526. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall provide such administrative and technical support to contractors, rebate aggregators, States, and Indian Tribes as is necessary to carry out this part.

(b) INFORMATION COLLECTION.—The Secretary shall establish, and make available to a homeowner, or the homeowner's designated representative, seeking a rebate under this part, release forms authorizing access by the Secretary, or a designated third-party representative to information in the utility bills of the homeowner with appropriate privacy protections in place.

(c) APPLICATION OF WAGE RATE REQUIREMENTS TO PARTIAL SYSTEM AND STATE ADMINISTERED REBATES.—Section 12202 of this Act shall not apply to rebates under sections 1522 and 1523.

SEC. 1527. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this part $1,200,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

(b) TRIBAL ALLOCATION.—Of the amounts made available pursuant to subsection (a) for a fiscal year, the Secretary shall work with Indian Tribes and use 2 percent of such amounts to carry out a program or programs that as close as possible reflect the goals, requirements, and provisions of this part, taking into account any factors that the Secretary determines to be appropriate.

PART 3—GENERAL PROVISIONS

SEC. 1531. APPOINTMENT OF PERSONNEL.

Notwithstanding the provisions of title 5, United States Code, regarding appointments in the competitive service and General Schedule classifications and pay rates, the Secretary may appoint such professional and administrative personnel as the Secretary considers necessary to carry out this subtitle.

SEC. 1532. MAINTENANCE OF FUNDING.

Each State receiving Federal funds pursuant to this subtitle shall provide reasonable assurances to the Secretary that it has established policies and procedures designed to ensure that Federal funds provided under this subtitle will be used to supplement, and not to supplant, State and local funds.

Subtitle F—Weatherization

SEC. 1601. WEATHERIZATION ASSISTANCE PROGRAM.

(a) REAUTHORIZATION OF WEATHERIZATION ASSISTANCE PROGRAM.—Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) $310,000,000 for fiscal year 2021;

''(2) $330,000,000 for fiscal year 2022;

''(3) $350,000,000 for fiscal year 2023;

''(4) $350,000,000 for fiscal year 2024; and

''(5) $350,000,000 for fiscal year 2025.''.

(b) MODERNIZING THE DEFINITION OF WEATHERIZATION MATERIALS.—Section 412(9)(J) of the Energy Conservation and Production Act (42 U.S.C. 6862(9)(J)) is amended—

(1) by inserting '', including renewable energy technologies and other advanced technologies,'' after ''devices or technologies''; and

(2) by striking '', after consulting with the Secretary of Housing and Urban Development, the Secretary of Agriculture, and the Director of the Community Services Administration''.

(c) CONSIDERATION OF HEALTH BENEFITS.—Section 413(b) of the Energy Conservation and Production Act (42 U.S.C. 6863(b)) is amended—

(1) in paragraph (1), by striking ''Health, Education, and Welfare'' and inserting ''Health and Human Services'';

(2) in paragraph (2)(A), by striking ''Health, Education, and Welfare'' and inserting ''Health and Human Services'';

(3) in paragraph (3)—

(A) by striking ''and with the Director of the Community Services Administration'';

(B) by inserting ''and by'' after ''in carrying out this part,''; and

(C) by striking '', and the Director of the Community Services Administration in carrying out weatherization programs under section 222(a)(12) of the Economic Opportunity Act of 1964'';

(4) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(5) by inserting after paragraph (3), the following:

''(4) The Secretary may amend the regulations prescribed under paragraph (1) to provide that the standards described in paragraph (2)(A) take into consideration improvements in the health and safety of occupants of dwelling units, and other non-energy benefits, from weatherization.''.

(d) CONTRACTOR OPTIMIZATION.—

(1) IN GENERAL.—The Energy Conservation and Production Act is amended by inserting after section 414B (42 U.S.C. 6864b) the following:

''SEC. 414C. CONTRACTOR OPTIMIZATION.

''(a) IN GENERAL.—The Secretary may request that entities receiving funding from the Federal Government or from a State through a weatherization assistance program under section 413 or section 414 perform periodic reviews of the use of private contractors in the provision of weatherization assistance, and encourage expanded use of contractors as appropriate.

''(b) USE OF TRAINING FUNDS.—Entities described in subsection (a) may use funding described in such subsection to train private, non-Federal entities that are contracted to provide weatherization assistance under a weatherization program, in accordance with rules determined by the Secretary.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents for the Energy Conservation and Production Act is amended by inserting after the item relating to section 414B the following:

''Sec. 414C. Contractor optimization.''.

(e) FINANCIAL ASSISTANCE FOR WAP ENHANCEMENT AND INNOVATION.—

(1) IN GENERAL.—The Energy Conservation and Production Act is amended by inserting after section 414C (as added by subsection (d) of this section) the following:

''SEC. 414D. FINANCIAL ASSISTANCE FOR WAP ENHANCEMENT AND INNOVATION.

''(a) PURPOSES.—The purposes of this section are—

''(1) to expand the number of dwelling units that are occupied by low-income persons that receive weatherization assistance by making such dwelling units weatherization-ready;

''(2) to promote the deployment of renewable energy in dwelling units that are occupied by low-income persons;

''(3) to ensure healthy indoor environments by enhancing or expanding health and safety measures and resources available to dwellings that are occupied by low-income persons;

''(4) to disseminate new methods and best practices among entities providing weatherization assistance; and

''(5) to encourage entities providing weatherization assistance to hire and retain employees who are individuals—

''(A) from the community in which the assistance is provided; and

''(B) from communities or groups that are underrepresented in the home energy performance workforce, including religious and ethnic minorities, women, veterans, individuals with disabilities, and individuals who are socioeconomically disadvantaged.

''(b) FINANCIAL ASSISTANCE.—The Secretary shall, to the extent funds are made available, award financial assistance, on an annual basis, through a competitive process to entities receiving funding from the Federal Government or from a State, tribal organization, or unit of general purpose local government through a weatherization program under section 413 or section 414, or to nonprofit entities, to be used by such an entity—

''(1) with respect to dwelling units that are occupied by low-income persons, to—

''(A) implement measures to make such dwelling units weatherization-ready by addressing structural, plumbing, roofing, and electrical issues, environmental hazards, or other measures that the Secretary determines to be appropriate;

''(B) install energy efficiency technologies, including home energy management systems, smart devices, and other technologies the Secretary determines to be appropriate;

''(C) install renewable energy systems (as defined in section 415(c)(6)(A)); and

''(D) implement measures to ensure healthy indoor environments by improving indoor air quality, accessibility, and other healthy homes measures as determined by the Secretary;

''(2) to improve the capability of the entity—

''(A) to significantly increase the number of energy retrofits performed by such entity;

''(B) to replicate best practices for work performed pursuant to this section on a larger scale;

''(C) to leverage additional funds to sustain the provision of weatherization assistance and other work performed pursuant to this section after financial assistance awarded under this section is expended; and

''(D) to hire and retain employees who are individuals described subsection (a)(5);

''(3) for innovative outreach and education regarding the benefits and availability of weatherization assistance and other assistance available pursuant to this section;

''(4) for quality control of work performed pursuant to this section;

''(5) for data collection, measurement, and verification with respect to such work;

''(6) for program monitoring, oversight, evaluation, and reporting regarding such work;

''(7) for labor, training, and technical assistance relating to such work;

''(8) for planning, management, and administration (up to a maximum of 15 percent of the assistance provided); and

''(9) for such other activities as the Secretary determines to be appropriate.

''(c) AWARD FACTORS.—In awarding financial assistance under this section, the Secretary shall consider—

''(1) the applicant's record of constructing, renovating, repairing, or making energy efficient single-family, multifamily, or manufactured homes that are occupied by low-income persons, either directly or through affiliates, chapters, or other partners (using the most recent year for which data are available);

''(2) the number of dwelling units occupied by low-income persons that the applicant has built, renovated, repaired, weatherized, or made more energy efficient in the 5 years preceding the date of the application;

''(3) the qualifications, experience, and past performance of the applicant, including experience successfully managing and administering Federal funds;

''(4) the strength of an applicant's proposal to achieve one or more of the purposes under subsection (a);

''(5) the extent to which such applicant will utilize partnerships and regional coordination to achieve one or more of the purposes under subsection (a);

''(6) regional and climate zone diversity;

''(7) urban, suburban, and rural localities; and

''(8) such other factors as the Secretary determines to be appropriate.

''(d) APPLICATIONS.—

''(1) ADMINISTRATION.—To be eligible for an award of financial assistance under this section, an applicant shall submit to the Secretary an application in such manner and containing such information as the Secretary may require.

''(2) AWARDS.—Subject to the availability of appropriations, not later than 270 days after the date of enactment of this section, the Secretary shall make a first award of financial assistance under this section.

''(e) MAXIMUM AMOUNT AND TERM.—

''(1) IN GENERAL.—The total amount of financial assistance awarded to an entity under this section shall not exceed $2,000,000.

''(2) TECHNICAL AND TRAINING ASSISTANCE.—The total amount of financial assistance awarded to an entity under this section shall be reduced by the cost of any technical and training assistance provided by the Secretary that relates to such financial assistance.

''(3) TERM.—The term of an award of financial assistance under this section shall not exceed 3 years.

''(4) RELATIONSHIP TO FORMULA GRANTS.—An entity may use financial assistance awarded to such entity under this section in conjunction with other financial assistance provided to such entity under this part.

''(f) REQUIREMENTS.—Not later than 90 days after the date of enactment of this section, the Secretary shall issue requirements to implement this section, including, for entities receiving financial assistance under this section—

''(1) standards for allowable expenditures;

''(2) a minimum saving-to-investment ratio; and

''(3) standards for—

''(A) training programs;

''(B) energy audits;

''(C) the provision of technical assistance;

''(D) monitoring activities carried out using such financial assistance;

''(E) verification of energy and cost savings;

''(F) liability insurance requirements; and

''(G) recordkeeping and reporting requirements, which shall include reporting to the Office of Weatherization and Intergovernmental Programs of the Department of Energy applicable data on each dwelling unit retrofitted or otherwise assisted pursuant to this section.

''(g) COMPLIANCE WITH STATE AND LOCAL LAW.—Nothing in this section supersedes or otherwise affects any State or local law, to the extent that the State or local law contains a requirement that is more stringent than the applicable requirement of this section.

''(h) REVIEW AND EVALUATION.—The Secretary shall review and evaluate the performance of each entity that receives an award of financial assistance under this section (which may include an audit).

''(i) ANNUAL REPORT.—The Secretary shall submit to Congress an annual report that provides a description of—

''(1) actions taken under this section to achieve the purposes of this section; and

''(2) accomplishments as a result of such actions, including energy and cost savings achieved.

''(j) FUNDING.—

''(1) AMOUNTS.—

''(A) IN GENERAL.—For each of fiscal years 2021 through 2025, of the amount made available under section 422 for such fiscal year to carry out the weatherization program under this part (not including any of such amount made available for Department of Energy headquarters training or technical assistance), not more than—

''(i) 2 percent of such amount (if such amount is $225,000,000 or more but less than $260,000,000) may be used to carry out this section;

''(ii) 4 percent of such amount (if such amount is $260,000,000 or more but less than $300,000,000) may be used to carry out this section; and

''(iii) 6 percent of such amount (if such amount is $300,000,000 or more) may be used to carry out this section.

''(B) MINIMUM.—For each of fiscal years 2021 through 2025, if the amount made available under section 422 (not including any of such amount made available for Department of Energy headquarters training or technical assistance) for such fiscal year is less than $225,000,000, no funds shall be made available to carry out this section.

''(2) LIMITATION.—For any fiscal year, the Secretary may not use more than $25,000,000 of the amount made available under section 422 to carry out this section.

''(k) TERMINATION.—The Secretary may not award financial assistance under this section after September 30, 2025.''.

(2) TABLE OF CONTENTS.—The table of contents for the Energy Conservation and Production Act is amended by inserting after the item relating to section 414C the following:

''Sec. 414D. Financial assistance for WAP enhancement and innovation.''.

(f) HIRING.—

(1) IN GENERAL.—The Energy Conservation and Production Act is amended by inserting after section 414D (as added by subsection (e) of this section) the following:

''SEC. 414E. HIRING.

''The Secretary may, as the Secretary determines appropriate, encourage entities receiving funding from the Federal Government or from a State through a weatherization program under section 413 or section 414, to prioritize the hiring and retention of employees who are individuals described in section 414D(a)(5).''.

(2) TABLE OF CONTENTS.—The table of contents for the Energy Conservation and Production Act is amended by inserting after the item relating to section 414D the following:

''Sec. 414E. Hiring.''.

(g) INCREASE IN ADMINISTRATIVE FUNDS.—Section 415(a)(1) of the Energy Conservation and Production Act (42 U.S.C. 6865(a)(1)) is amended by striking ''10 percent'' and inserting ''15 percent''.

(h) AMENDING RE-WEATHERIZATION DATE.—Paragraph (2) of section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended to read as follows:

''(2) Dwelling units weatherized (including dwelling units partially weatherized) under this part, or under other Federal programs (in this paragraph referred to as 'previous weatherization'), may not receive further financial assistance for weatherization under this part until the date that is 15 years after the date such previous weatherization was completed. This paragraph does not preclude dwelling units that have received previous weatherization from receiving assistance and services (including the provision of information and education to assist with energy management and evaluation of the effectiveness of installed weatherization materials) other than weatherization under this part or under other Federal programs, or from receiving non-Federal assistance for weatherization.''.

(i) ANNUAL REPORT.—Section 421 of the Energy Conservation and Production Act (42 U.S.C. 6871) is amended by inserting ''the number of multifamily buildings in which individual dwelling units were weatherized during the previous year, the number of individual dwelling units in multifamily buildings weatherized during the previous year,'' after ''the average size of the dwellings being weatherized,''.

SEC. 1602. REPORT ON WAIVERS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report on the status of any request made after September 30, 2010, for a waiver of any requirement under section 200.313 of title 2, Code of Federal Regulations, as such requirement applies with respect to the weatherization assistance program under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.), including a description of any such waiver that has been granted and any such request for a waiver that has been considered but not granted.

SEC. 1603. APPLICATION OF WAGE RATE REQUIREMENTS TO WEATHERIZATION ASSISTANCE PROGRAM.

With respect to the Weatherization Assistance Program, the requirements of section 12202 shall apply only to work performed on multifamily buildings.

Subtitle G—Energy and Water Research Integration

SEC. 1701. INTEGRATING ENERGY AND WATER RESEARCH.

(a) IN GENERAL.—The Secretary of Energy shall integrate water considerations into energy research, development, and demonstration programs and projects of the Department of Energy by—

(1) advancing energy and energy efficiency technologies and practices that meet the objectives of—

(A) minimizing freshwater withdrawal and consumption;

(B) increasing water use efficiency;

(C) utilizing nontraditional water sources with efforts to improve the quality of the water from those sources;

(D) minimizing deleterious impacts on water bodies, groundwater, and waterways; and

(E) minimizing seismic impacts;

(2) considering the effects climate variability may have on water supplies and quality for energy generation and fuel production; and

(3) improving understanding of the energy-water nexus.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Secretary shall develop a strategic plan identifying the research, development, and demonstration needs for Department programs and projects to carry out subsection (a). The strategic plan shall include technical milestones for achieving and assessing progress toward the objectives of subsection (a)(1).

(2) SPECIFIC CONSIDERATIONS.—In developing the strategic plan, the Secretary shall consider—

(A) new advanced cooling technologies for energy generation and fuel production technologies;

(B) performance improvement of existing cooling technologies and cost reductions associated with using those technologies;

(C) innovative water reuse, recovery, and treatment technologies in energy generation and fuel production, including renewable energy;

(D) technology development for carbon capture and storage systems that utilize efficient water use design strategies;

(E) technologies that are life-cycle cost effective;

(F) systems analysis and modeling of issues relating to the energy-water nexus;

(G) technologies to treat and utilize wastewater and produced waters discharged from oil, natural gas, coalbed methane, and any other substance to be used as an energy source;

(H) advanced materials for the use of nontraditional water sources for energy generation and fuel production;

(I) biomass production and utilization and the impact on hydrologic systems;

(J) technologies that reduce impacts on water from energy resource development;

(K) energy efficient technologies for water distribution, treatment, supply, and collection systems;

(L) technologies for energy generation from water distribution, treatment, supply, and collection systems;

(M) the flexible operation of water infrastructure to provide essential grid reliability services;

(N) modular or energy-water microgrid systems that can provide energy and water resources in remote or disaster recovery areas;

(O) recovering energy in the form of biofuels, bioproducts, and biopower from municipal and industrial wastewaters, and similar organic streams; and

(P) any other area of the energy-water nexus that the Secretary considers appropriate.

(3) COLLABORATION AND NONDUPLICATION.—In developing the strategic plan, the Secretary shall coordinate and avoid duplication—

(A) with other Federal agencies operating related programs, if appropriate; and

(B) across programs and projects of the Department, including with those of the National Laboratories.

(4) RELEVANT INFORMATION AND RECOMMENDATIONS.—In developing the strategic plan, the Secretary shall consider and incorporate, as appropriate, relevant information and recommendations, including those of the National Water Availability and Use Assessment Program under section 9508(d) of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10368(d)).

(5) ADDITIONAL PARTICIPATION.—In developing the strategic plan, the Secretary shall consult and coordinate with a diverse group of representatives from research and academic institutions, industry, public utility commissions, and State and local governments who have expertise in technologies and practices relating to the energy-water nexus.

(6) SUBMISSION TO CONGRESS.—Not later than 12 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the strategic plan.

(7) UPDATING THE STRATEGIC PLAN.—Not later than 3 years after the date of enactment of this Act, and at least once every 5 years thereafter, the Secretary shall—

(A) utilize relevant information produced by Federal Government agencies, academia, State, local, and tribal governments and industry to update the strategic plan;

(B) include in the updated strategic plan a description of the changes from the previous strategic plan and the rationale for such changes;

(C) include a review of progress made towards the milestones outlined in the previous strategic plan; and

(D) submit the updated strategic plan to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) ADDITIONAL ACTIVITIES.—The Secretary may provide for such additional research, development, and demonstration activities as appropriate to integrate water considerations into the research, development, and demonstration activities of the Department as described in subsection (a).

SEC. 1702. ENERGY-WATER OVERSIGHT AND COORDINATION.

(a) IN GENERAL.—In carrying out the research, development, and demonstration activities outlined in section 1701, the Secretary, in coordination with other relevant Federal agencies, shall establish an Energy-Water Committee to promote and enable improved energy and water resource data collection, reporting, and technological innovation. The Committee shall consist of—

(1) representation from each program within the Department and each Federal agency that conducts research related to the energy-water nexus; and

(2) non-Federal members, including representatives of research and academic institutions, State, local, and tribal governments, public utility commissions, and industry, who have expertise in technologies, technological innovations, or practices relating to the energy-water nexus.

(b) FUNCTIONS.—The Committee shall, in carrying out section 1701—

(1) make recommendations on the development and integration of data collection and data communication standards and protocols, including models and modeling results, to agencies and entities currently engaged in collecting the data for the energy-water nexus;

(2) recommend ways to make improvements to Federal water use data to increase understanding of trends in energy generation and fuel production, including non-cooling water uses;

(3) recommend best practices for utilizing information from existing monitoring networks to provide nationally uniform water and energy use and infrastructure data; and

(4) conduct annual technical workshops, including at least one regional workshop annually, to facilitate information exchange among Federal, regional, State, local, and tribal governments and private sector experts on technologies that encourage the conservation and efficient use of water and energy.

(c) REPORTS.—Not later than 1 year after the date of enactment of this Act, and at least once every 2 years thereafter, the Committee, through the Secretary, shall transmit to Congress a report on its findings and activities under this section.

(d) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided in this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

SEC. 1703. RULE OF CONSTRUCTION.

Notwithstanding any other provision of law, nothing in this part shall be construed to require State, tribal, or local governments to provide additional data for Federal purposes, or to take any action that may result in an increased financial burden to such governments by restricting the use of water by such governments.

SEC. 1704. COORDINATION AND NONDUPLICATION.

To the maximum extent practicable, the Secretary shall coordinate activities under this part with other programs of the Department and other Federal research programs.

SEC. 1705. DEFINITIONS.

In this part:

(1) COMMITTEE.—The term ''Committee'' means the Energy-Water Committee established under section 1702(a).

(2) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(3) ENERGY-WATER NEXUS.—The term ''energy-water nexus'' means the energy required to provide reliable water supplies and the water required to provide reliable energy supplies throughout the United States.

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

Subtitle H—Other Matters

SEC. 1801. MODIFICATIONS TO THE CEILING FAN ENERGY CONSERVATION STANDARD.

(a) IN GENERAL.—Section 325(ff)(6) of the Energy Policy and Conservation Act (42 U.S.C. 6295(ff)(6)) is amended by adding at the end the following:

''(C)(i) Large-diameter ceiling fans manufactured on or after January 21, 2020, shall—

''(I) not be required to meet minimum ceiling fan efficiency in terms of ratio of the total airflow to the total power consumption as described in the final rule titled 'Energy Conservation Program: Energy Conservation Standards for Ceiling Fans' (82 Fed. Reg. 6826 (January 19, 2017)); and

''(II) have a CFEI greater than or equal to—

''(aa) 1.00 at high speed; and

''(bb) 1.31 at 40 percent speed or the nearest speed that is not less than 40 percent speed.

''(ii) For purposes of this subparagraph, the term 'CFEI' means the Fan Energy Index for large-diameter ceiling fans, calculated in accordance with ANSI/AMCA Standard 208–18 titled 'Calculation of the Fan Energy Index', with the following modifications:

''(I) Using an Airflow Constant (Q_0) of 26,500 cubic feet per minute.

''(II) Using a Pressure Constant (P_0) of 0.0027 inches water gauge.

''(III) Using a Fan Efficiency Constant (η_0) of 42 percent.''.

(b) REVISION.—For purposes of section 325(m) of the Energy Policy and Conservation Act (42 U.S.C. 6295(m)), the standard established in section 325(ff)(6)(C) of such Act (as added by subsection (a) of this section) shall be treated as if such standard was issued on January 19, 2017.

SEC. 1802. SMART ENERGY AND WATER EFFICIENCY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a municipality;

(B) a water district; and

(C) any other entity that provides water, wastewater, or water reuse services, including a joint water and power authority.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) SMART ENERGY AND WATER EFFICIENCY PROGRAM.—The term ''smart energy and water efficiency program'' or ''program'' means the program established under subsection (b).

(b) SMART ENERGY AND WATER EFFICIENCY PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish and carry out a smart energy and water efficiency program in accordance with this section.

(2) ELIGIBLE PROJECTS.—In carrying out the smart energy and water efficiency program, the Secretary shall award grants to eligible entities to carry out projects that implement advanced and innovative technology-based solutions that will improve the energy or water efficiency of water, wastewater, or water reuse systems to—

(A) help eligible entities make significant progress in conserving water, conserving energy, or reducing the operating costs of such systems;

(B) support the implementation of innovative processes or the installation of advanced automated systems that provide real-time data on energy and water; or

(C) improve predictive maintenance of water, wastewater, or water reuse systems through the use of Internet-connected technologies, such as sensors, intelligent gateways, or security embedded in hardware.

(3) PROJECT SELECTION.—

(A) IN GENERAL.—The Secretary shall make competitive, merit-reviewed grants under the program to not fewer than 3, but not more than 5, eligible entities.

(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the program, the Secretary shall consider—

(i) energy and cost savings anticipated to result from the project;

(ii) the innovative nature, commercial viability, and reliability of the technology to be used;

(iii) the degree to which the project integrates innovative sensors, software, hardware, analytics, and management tools;

(iv) the anticipated cost-effectiveness of the project in terms of energy savings, water savings or reuse, and infrastructure costs averted;

(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented on a smaller or larger scale, including whether the technology can be implemented by other types of eligible entities; and

(vi) whether implementation of the project will be complete within 5 years.

(C) APPLICATIONS.—

(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

(I) a description of the project;

(II) a description of the technology to be used in the project;

(III) the anticipated results, including energy and water savings, of the project;

(IV) a comprehensive budget for the project; and

(V) the number of households or customers that are served by the eligible entity and will benefit from the project.

(4) ADMINISTRATION.—

(A) IN GENERAL.—Not later than 300 days after the date of enactment of this Act, the Secretary shall select grant recipients under this section.

(B) EVALUATIONS.—The Secretary shall annually for 5 years carry out an evaluation of each project for which a grant is provided under this section that—

(i) evaluates the progress and effects of the project; and

(ii) assesses the degree to which the project can be replicated in other regions, systems, and situations.

(C) TECHNICAL ASSISTANCE.—On the request of a grant recipient, the Secretary shall provide technical assistance to the grant recipient to carry out the project.

(D) BEST PRACTICES.—The Secretary shall make available to the public—

(i) a copy of each evaluation carried out under subparagraph (B); and

(ii) a description of any best practices identified by the Secretary as a result of those evaluations.

(E) REPORT TO CONGRESS.—Not later than the date on which the Secretary completes the last evaluation required under subparagraph (B), the Secretary shall submit to Congress a report containing the results of each evaluation carried out under such subparagraph.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $15,000,000 to carry out this section, to remain available until expended.

SEC. 1803. ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM.

(a) PURPOSE.—Section 542(b)(1) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17152(b)(1)) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (B), by striking the semicolon and inserting ''; and''; and

(3) by adding at the end the following:

''(C) diversifies energy supplies, including by facilitating and promoting the use of alternative fuels;''.

(b) USE OF FUNDS.—Section 544(9) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17154(9)) is amended to read as follows:

''(9) deployment of energy distribution technologies that significantly increase energy efficiency or expand access to alternative fuels, including—

''(A) distributed resources;

''(B) district heating and cooling systems; and

''(C) infrastructure for delivering alternative fuels;''.

(c) COMPETITIVE GRANTS.—Section 546(c)(2) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17156(c)(2)) is amended by inserting '', including projects to expand the use of alternative fuels'' before the period at the end.

(d) FUNDING.—Section 548(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17158(a)) is amended to read as follows:

''(a) AUTHORIZATION OF APPROPRIATIONS.—

''(1) GRANTS.—There is authorized to be appropriated to the Secretary for the provision of grants under the program $3,500,000,000 for each of fiscal years 2021 through 2025.

''(2) ADMINISTRATIVE COSTS.—There is authorized to be appropriated to the Secretary for administrative expenses of the program $35,000,000 for each of fiscal years 2021 through 2025.''.

(e) TECHNICAL AMENDMENTS.—Section 543 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17153) is amended—

(1) in subsection (c), by striking ''subsection (a)(2)'' and inserting ''subsection (a)(3)''; and

(2) in subsection (d), by striking ''subsection (a)(3)'' and inserting ''subsection (a)(4)''.

SEC. 1804. ENERGY EFFICIENT PUBLIC BUILDINGS.

(a) GRANTS.—Section 125(a) of the Energy Policy Act of 2005 (42 U.S.C. 15822(a)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Standard 90.1 of the American Society of Heating, Refrigerating, and Air-Conditioning Engineers,'' after ''the International Energy Conservation Code,''; and

(B) by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) through benchmarking programs to enable use of building performance data to evaluate the performance of energy efficiency investments over time.''.

(b) ASSURANCE OF IMPROVEMENT.—Section 125 of the Energy Policy Act of 2005 (42 U.S.C. 15822) is amended by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and inserting after subsection (a) the following:

''(b) ASSURANCE OF IMPROVEMENT.—

''(1) VERIFICATION.—A State agency receiving a grant for activities described in paragraph (1) or (2) of subsection (a) shall ensure, as a condition of eligibility for assistance pursuant to such grant, that a unit of local government receiving such assistance obtain third-party verification of energy efficiency improvements in each public building with respect to which such assistance is used.

''(2) GUIDANCE.—The Secretary may provide guidance to State agencies to comply with paragraph (1). In developing such guidance, the Secretary shall consider available third-party verification tools for high-performing buildings and available third-party verification tools for energy efficiency retrofits.''.

(c) ADMINISTRATION.—Section 125(c) of the Energy Policy Act of 2005, as so redesignated, is amended—

(1) in the matter preceding paragraph (1), by striking ''State energy offices receiving grants'' and inserting ''A State agency receiving a grant'';

(2) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(3) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(3) ensure that all laborers and mechanics employed by contractors and subcontractors in the performance of construction, alteration, or repair work financed in whole or in part with assistance received pursuant to this section shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (and with respect to such labor standards, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code).''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 125(d) of the Energy Policy Act of 2005, as so redesignated, is amended by striking ''$30,000,000 for each of fiscal years 2006 through 2010'' and inserting ''$100,000,000 for each of fiscal years 2021 through 2025''.

SEC. 1805. SMART BUILDINGS.

(a) DEFINITIONS.—In this section:

(1) FRONTLINE COMMUNITY.—The term ''frontline community'' means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities, that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) SMART BUILDING.—The term ''smart building'' means a building, or collection of buildings, with an energy system that—

(A) is flexible and automated in its energy demand and usage in response to changes associated with the environment, occupant behaviors, building conditions, and other events;

(B) has monitoring, diagnostics, control, and communication connectivity that enables analysis and control of energy consumption and generation;

(C) has a systems-based approach to integrating the overall building operations for control of energy demand, generation, and storage;

(D) has the ability to share information with utilities or other third-party entities, as appropriate in order to coordinate building energy assets to support energy system reliability and resilience;

(E) supports the health and safety of occupants; or

(F) incorporates cybersecurity protections.

(b) FEDERAL SMART BUILDING PROGRAM.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator of General Services, establish a program to be known as the ''Federal Smart Building Program''—

(A) to implement smart building technology; and

(B) to demonstrate the costs and benefits of smart buildings.

(2) SELECTION.—

(A) IN GENERAL.—The Secretary shall coordinate the selection of not fewer than 1 building from among each of several key Federal agencies, as described in paragraph (4), to compose an appropriately diverse set of smart buildings based on size, type, and geographic location.

(B) INCLUSION OF COMMERCIALLY OPERATED BUILDINGS.—In making selections under subparagraph (A), the Secretary may include buildings that are owned by the Federal Government but are commercially operated.

(3) TARGETS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish targets for the number of smart buildings to be commissioned and evaluated by key Federal agencies by 3 years and 6 years after the date of enactment of this Act.

(4) FEDERAL AGENCY DESCRIBED.—The key Federal agencies referred to paragraph (2)(A) shall include buildings operated by—

(A) the Department of the Army;

(B) the Department of the Navy;

(C) the Department of the Air Force;

(D) the Department of Energy;

(E) the Department of the Interior;

(F) the Department of Veterans Affairs; and

(G) the General Services Administration.

(5) REQUIREMENT.—In implementing the program established under this subsection, the Secretary shall leverage existing financing mechanisms, including energy savings performance contracts, utility energy service contracts, and annual appropriations.

(6) EVALUATION.—Using the guidelines of the Federal Energy Management Program relating to whole-building evaluation, measurement, and verification, the Secretary shall evaluate the costs and benefits of the buildings selected under paragraph (2), including an identification of—

(A) which advanced building technologies—

(i) are most cost-effective; and

(ii) show the most promise for—

(I) increasing building energy savings;

(II) increasing service performance to building occupants;

(III) reducing environmental impacts; and

(IV) establishing cybersecurity; and

(B) any other information the Secretary determines to be appropriate.

(7) AWARDS.—The Secretary may expand awards made under the Federal Energy Management Program and the Better Building Challenge to recognize specific agency achievements in accelerating the adoption of smart building technologies.

(c) SURVEY OF PRIVATE SECTOR SMART BUILDINGS.—

(1) SURVEY.—The Secretary shall conduct a survey of privately owned smart buildings throughout the United States, including commercial buildings, laboratory facilities, hospitals, multifamily residential buildings, and buildings owned by nonprofit organizations and institutions of higher education.

(2) SELECTION.—From among the smart buildings surveyed under paragraph (1), the Secretary shall select not fewer than 1 building each from an appropriate range of building sizes, types, and geographic locations.

(3) EVALUATION.—Using the guidelines of the Federal Energy Management Program relating to whole-building evaluation, measurement, and verification, the Secretary shall evaluate the costs and benefits of the buildings selected under paragraph (2), including an identification of—

(A) which advanced building technologies and systems—

(i) are most cost-effective; and

(ii) show the most promise for—

(I) increasing building energy savings;

(II) increasing service performance to building occupants;

(III) reducing environmental impacts; and

(IV) establishing cybersecurity; and

(B) any other information the Secretary determines to be appropriate.

(d) LEVERAGING EXISTING PROGRAMS.—

(1) BETTER BUILDINGS PROGRAM.—

(A) BETTER BUILDINGS CHALLENGE.—The Secretary shall carry out a program to provide technical assistance for entities to set and achieve goals to improve energy efficiency, reduce greenhouse gas emissions and emissions of other pollutants, and reduce embodied carbon in commercial and residential buildings through the commercial application of relevant tools and technologies. In carrying out this program, the Secretary shall—

(i) identify opportunities for optimizing energy efficiency, demand management, and increasing emissions reductions in buildings to achieve net-zero energy or energy-generating buildings, including through electrification;

(ii) promote the commercial application of emerging concepts and technologies in buildings;

(iii) share best practices from successful projects; and

(iv) ensure a diversity of entities receive technical assistance, including low-income and rural communities.

(B) BETTER BUILDINGS ACCELERATOR.—In carrying out the program under subparagraph (A), the Secretary shall develop smart building accelerators that will demonstrate innovative policies and approaches to accelerate the transition to smart buildings in the public, institutional, laboratory, industrial, commercial, and residential sectors, including in rural, low-income, and multi-family housing.

(C) BUILDING AMERICA PROGRAM.—The Secretary shall carry out a research, development, and demonstration program on tools, technologies, and techniques to reduce energy use and emissions in new and existing residential buildings, in partnership with industry entities.

(2) RESEARCH AND DEVELOPMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program of research, development, demonstration, and commercial application to develop cost-effective tools, technologies, and practices that reduce greenhouse gas emissions or other pollutants from, increase the energy efficiency of, and increase beneficial electrification of new and existing commercial and residential buildings, including retrofits and electrification of existing buildings, rural housing, low-income housing, multi-family housing, and manufactured housing.

(B) ENERGY EQUITY.—The Secretary shall carry out research to identify barriers to and strategies for expanding the use of low-emissions and energy-efficient building technologies and appliances in the buildings where members of frontline communities live and work. Research topics covered under this subparagraph may include—

(i) barriers to the use of technologies developed under this subsection in rural, low-income, and multi-family housing;

(ii) causes of and solutions for inequitable energy costs in residential buildings based on race or class; and

(iii) solutions that enable energy-efficient homes while keeping housing affordable for low-income communities.

(C) NON-TECHNICAL BARRIERS.—The Secretary shall support research and analysis to identify non-technical barriers, and methods to address such barriers, to enable greater use of tools and technologies developed under this subsection in new and existing commercial and residential buildings, including rural housing, low-income housing, and multi-family housing.

(D) ADVANCED BUILDING CONSTRUCTION, DESIGN, AND RETROFITS.—As part of the program established under subparagraph (A), the Secretary shall support research and development on technologies and methodologies to enable advanced building design, construction techniques, and retrofits. In supporting research and development under subparagraph (A), the Secretary shall—

(i) include considerations of a full lifecycle analysis during building design, manufacturing, and construction, including environmental considerations, embodied energy and embodied carbon in building materials, transportation of materials, and implications for final disposal and recycling;

(ii) incorporate principles of resilient building design and construction through the consideration of regional differences in—

(I) climate, season, temperature, and precipitation in consultation with the National Oceanic and Atmospheric Administration; and

(II) fuel mix and energy production, including through the development of vulnerability assessments and analysis of building resilience for proposed building designs, building sites, or existing buildings;

(iii) support research and development on the use of various potential energy sources and distributed generation to supply cooling, heating, and power for buildings, including integrated and adaptive control solutions that address traditional building energy management and emerging technologies, such as batteries, thermal storage, and combined heat and power, compatible with all sizes of buildings;

(iv) support the development and integration of technologies that enable low-emissions and energy-efficient or advanced buildings, such as heating, ventilation, air-conditioning, and refrigeration systems and other appliances that are cost-competitive over the life of the product as compared to conventional technologies and that incorporate considerations of retrofitting and ease of installation, using a whole-systems and whole-buildings approach;

(v) support the development and integration of cost-effective next-generation window and building envelope technologies that incorporate considerations of retrofitting and ease of installation;

(vi) support development of alternative working fluids and refrigerants for use in buildings equipment to reduce their impact on climate change; and

(vii) research methods to enhance comfort and health of individual occupants in buildings that also result in improved energy efficiency and emissions reductions, including indoor air pollution.

(E) GRID-INTERACTIVE BUILDINGS.—As part of the program established under subparagraph (A), the Secretary shall support research and development to enable components of commercial and residential buildings to serve as dynamic energy loads and energy resources to enable smart building designs. In particular, the Secretary shall focus on the development of—

(i) advanced building energy management systems through the integration of sensors and advanced control technologies and systems that allow whole-building optimization and integration with other energy systems, including photovoltaics, electric vehicles, and energy storage technologies such as thermal storage;

(ii) cost-effective sensors that enable monitoring of building conditions and energy load, including, as appropriate, reporting energy use and forecasting energy needs;

(iii) improved analysis of data on the energy use of devices connected to buildings, including miscellaneous electric loads;

(iv) advanced control technologies and systems that enable flexible operation of building components and that are capable of coordinating and executing energy control commands in response to signals from the electric grid;

(v) flexible building components capable of reporting and modulating energy use in response to control commands, as appropriate;

(vi) data analysis and communication protocols to further systems integration, interoperability, and automation;

(vii) building energy storage capabilities to modulate peak and off-peak energy demand;

(viii) distributed energy resources at the community- and building-level through localized electric grids;

(ix) technologies to reduce energy use and emissions in connected communities and neighborhoods located in a variety of climates, including by enabling transactive energy concepts; and

(x) cybersecurity practices that protect privacy and personally identifiable information.

(F) MODELING AND DATA ANALYSIS.—As part of the program established under subparagraph (A), the Secretary shall support the development of building models, including for the design and operation of buildings, and the analysis of relevant data to enable smart buildings. In particular, the Secretary shall focus on the development of—

(i) advanced modeling capabilities that include modeling of grid interactivity, resilience, and relevant behavioral, community-scale, and urban-scale activities in order to—

(I) provide system-level analysis of new technologies, including distributed generation and storage;

(II) evaluate system benefits such as emissions reductions, community resilience, distribution grid reliability, and service to underserved communities;

(III) provide data, derived from both simulation and demonstration projects established under subparagraph (G), to inform decision support and new business models; and

(ii) automated methods to generate models of proposed or existing buildings;

(iii) methods to address barriers, including non-technical barriers, to commercial application of building models for building operation;

(iv) methods to analyze data collected by technologies in smart buildings and collections of buildings;

(v) artificial intelligence and machine learning approaches to building energy management; and

(vi) advanced data collection and monitoring methods for utilities at the building level and component level.

(G) DEMONSTRATION PROGRAM.—The Secretary shall establish a competitive grant program for the demonstration of advanced building technologies and systems developed under the program established under subparagraph (A) that—

(i) focuses on a range of new and existing building types, including low-income housing, rural housing and agricultural buildings, multifamily residential buildings, manufactured housing, and small and medium-sized commercial buildings; and

(ii) includes community-scale demonstration projects.

(H) TESTING AND VALIDATION.—In carrying out the program under subparagraph (A), the Secretary shall—

(i) support testing and validation activities to improve the commercial application of relevant tools, technologies, and methods, including the use of testbeds to determine cost savings and performance in realistic scenarios; and

(ii) support analysis, testing, and validation to accurately determine energy savings, emissions reductions, cost-savings, and other potential impacts of the highest-performing appliances that are commercially available.

(I) PARTNERSHIPS.—In carrying out the activities authorized in this subsection, the Secretary shall work with utilities, State and local energy offices, building owners, technology developers, contractors, building developers, and other relevant entities to guide the focus areas of the activities of the program carried out under subparagraph (A) and to encourage the commercial application of these technologies by building owners, operators, developers, occupants, contractors, or other relevant entities.

(J) COORDINATION.—In carrying out this subsection, the Secretary shall coordinate across all relevant program offices at the Department of Energy, including the Office of Electricity, the Advanced Manufacturing Office, the Vehicle Technologies Office, the Geothermal Technologies Office, and the Office of Cybersecurity, Energy Security, and Emergency Response.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until a total of 3 reports have been made, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives a report on—

(1) the establishment of the Federal Smart Building Program and the evaluation of Federal smart buildings under subsection (b);

(2) the survey and evaluation of private sector smart buildings under subsection (c); and

(3) any recommendations of the Secretary to further accelerate the transition to smart buildings.

TITLE II—RENEWABLE ENERGY

Subtitle A—Energy Storage

PART 1—CONSIDERATION OF ENERGY STORAGE SYSTEMS

SEC. 2101. CONSIDERATION OF ENERGY STORAGE SYSTEMS.

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(20) CONSIDERATION OF ENERGY STORAGE SYSTEMS.—Each State shall consider requiring that, as part of a supply side resource planning process, an electric utility of the State demonstrate to the State that the electric utility considered an investment in energy storage systems based on appropriate factors, including—

''(A) total costs and normalized life cycle costs;

''(B) cost effectiveness;

''(C) improved reliability;

''(D) security; and

''(E) system performance and efficiency.''.

(b) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State regulatory authority has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

''(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State regulatory authority has ratemaking authority), and each nonregulated electric utility, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to the standard established by paragraph (20) of section 111(d).''.

(c) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraph (20).''.

(d) PRIOR STATE ACTIONS.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) of this section shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the enactment of this subsection—

''(1) the State has implemented for such utility the standard concerned (or a comparable standard);

''(2) the State regulatory authority for such State or relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard concerned (or a comparable standard) for such utility; or

''(3) the State legislature has voted on the implementation of such standard (or a comparable standard) for such utility.''.

(e) PRIOR AND PENDING PROCEEDINGS.—Section 124 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this section to the date of the enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraph (20).''.

SEC. 2102. COORDINATION OF PROGRAMS.

To the maximum extent practicable, the Secretary of Energy shall ensure that the funding and administration of the different offices within the Grid Modernization Initiative of the Department of Energy and other programs conducting energy storage research are coordinated and streamlined.

PART 2—ENERGY STORAGE AND MICROGRID PROJECTS

SEC. 2121. DEFINITIONS.

(a) DEFINITIONS.—In this part:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a rural electric cooperative; or

(B) a nonprofit organization working with at least 6 rural electric cooperatives.

(2) ENERGY STORAGE.—The term ''energy storage'' means the use of equipment or facilities relating to the electric grid that are capable of absorbing and converting energy, as applicable, storing the energy for a period of time, and dispatching the energy, that—

(A) use mechanical, electrochemical, biochemical, or thermal processes, to convert and store energy that was generated at an earlier time for use at a later time;

(B) use mechanical, electrochemical, biochemical, or thermal processes to convert and store energy generated from mechanical processes that would otherwise be wasted for delivery at a later time; or

(C) convert and store energy in an electric, thermal, or gaseous state for direct use for heating or cooling at a later time in a manner that avoids the need to use electricity or other fuel sources at that later time, as is offered by grid-enabled water heaters.

(3) ISLAND.—The term ''island mode'' means a mode in which a distributed generator or energy storage device continues to power a location in the absence of electric power from the primary source.

(4) MICROGRID.—The term ''microgrid'' means an interconnected system of loads and distributed energy resources, including generators and energy storage devices, within clearly defined electrical boundaries that—

(A) acts as a single controllable entity with respect to the electric grid; and

(B) can connect to, and disconnect from, the electric grid to operate in both grid-connected mode and island mode.

(5) RENEWABLE ENERGY SOURCE.—The term ''renewable energy source'' has the meaning given the term in section 609(a) of the Public Utility Regulatory Policies Act of 1978 (7 U.S.C. 918c(a)).

(6) RURAL ELECTRIC COOPERATIVE.—The term ''rural electric cooperative'' means an electric cooperative (as defined in section 3 of the Federal Power Act (16 U.S.C. 796)) that sells electric energy to persons in rural areas.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 2122. ENERGY STORAGE AND MICROGRID ASSISTANCE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program under which the Secretary shall—

(1) provide grants to eligible entities under subsection (c);

(2) provide technical assistance to eligible entities under subsection (d); and

(3) disseminate information to eligible entities on—

(A) the activities described in subsections (c)(1) and (d); and

(B) potential and existing energy storage and microgrid projects.

(b) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with an eligible entity to carry out subsection (a).

(c) GRANTS.—

(1) IN GENERAL.—The Secretary shall award grants to eligible entities for identifying, evaluating, designing, and demonstrating energy storage and microgrid projects that utilize energy from renewable energy sources.

(2) APPLICATION.—To be eligible to receive a grant under paragraph (1), an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(3) USE OF GRANT.—An eligible entity that receives a grant under paragraph (1)—

(A) shall use the grant—

(i) to conduct feasibility studies to assess the potential for implementation or improvement of energy storage or microgrid projects;

(ii) to analyze and implement strategies to overcome barriers to energy storage or microgrid project implementation, including financial, contracting, siting, and permitting barriers;

(iii) to conduct detailed engineering of energy storage or microgrid projects;

(iv) to perform a cost-benefit analysis with respect to an energy storage or microgrid project;

(v) to plan for both the short- and long-term inclusion of energy storage or microgrid projects into the future development plans of the eligible entity; or

(vi) to purchase and install necessary equipment, materials, and supplies for demonstration of emerging technologies; and

(B) may use the grant to obtain technical assistance from experts in carrying out the activities described in subparagraph (A).

(4) CONDITION.—As a condition of receiving a grant under paragraph (1), an eligible entity shall—

(A) implement a public awareness campaign, in coordination with the Secretary, about the project implemented under the grant in the community in which the eligible entity is located;

(B) submit to the Secretary, and make available to the public, a report that describes—

(i) any energy cost savings and environmental benefits achieved under the project; and

(ii) the results of the project, including quantitative assessments to the extent practicable, associated with each activity described in paragraph (3)(A); and

(C) create and disseminate tools and resources that will benefit other rural electric cooperatives, which may include cost calculators, guidebooks, handbooks, templates, and training courses.

(5) COST-SHARE.—Activities under this subsection shall be subject to the cost-sharing requirements of section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(d) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—In carrying out the program established under subsection (a), the Secretary shall provide eligible entities with technical assistance relating to—

(A) identifying opportunities for energy storage and microgrid projects;

(B) understanding the technical and economic characteristics of energy storage or microgrid projects;

(C) understanding financing alternatives;

(D) permitting and siting issues;

(E) obtaining case studies of similar and successful energy storage or microgrid projects;

(F) reviewing and obtaining computer software for assessment, design, and operation and maintenance of energy storage or microgrid systems; and

(G) understanding and utilizing the reliability and resiliency benefits of energy storage and microgrid projects.

(2) EXTERNAL CONTRACTS.—In carrying out paragraph (1), the Secretary may enter into contracts with third-party experts, including engineering, finance, and insurance experts, to provide technical assistance to eligible entities relating to the activities described in such paragraph, or other relevant activities, as determined by the Secretary.

SEC. 2123. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this part $5,000,000 for each of fiscal years 2021 through 2025.

(b) ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount appropriated under subsection (a) for each fiscal year shall be used for administrative expenses.

Subtitle B—Dam Safety

SEC. 2201. HYDROELECTRIC PRODUCTION INCENTIVES AND EFFICIENCY IMPROVEMENTS.

(a) HYDROELECTRIC PRODUCTION INCENTIVES.—Section 242 of the Energy Policy Act of 2005 (42 U.S.C. 15881) is amended—

(1) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) QUALIFIED HYDROELECTRIC FACILITY.—The term 'qualified hydroelectric facility' means a turbine or other generating device owned or solely operated by a non-Federal entity—

''(A) that generates hydroelectric energy for sale; and

''(B)(i) that is added to an existing dam or conduit; or

''(ii)(I) that has a generating capacity of not more than 10 megawatts;

''(II) for which the non-Federal entity has received a construction authorization from the Federal Energy Regulatory Commission, if applicable; and

''(III) that is constructed in a region in which there is inadequate electric service, as determined by the Secretary.'';

(2) in subsection (c), by striking ''10'' and inserting ''22'';

(3) in subsection (e)(2), by striking ''section 29(d)(2)(B)'' and inserting ''section 45K(d)(2)(B)'';

(4) in subsection (f), by striking ''20'' and inserting ''32''; and

(5) in subsection (g), by striking ''each of the fiscal years 2006 through 2015'' and inserting ''each of fiscal years 2019 through 2036''.

(b) HYDROELECTRIC EFFICIENCY IMPROVEMENT.—Section 243(c) of the Energy Policy Act of 2005 (42 U.S.C. 15882(c)) is amended by striking ''each of the fiscal years 2006 through 2015'' and inserting ''each of fiscal years 2019 through 2036''.

SEC. 2202. FERC BRIEFING ON EDENVILLE DAM AND SANFORD DAM FAILURES.

Not later than 90 days after the date on which the Forensic Investigation Team submits to the Federal Energy Regulatory Commission the reports on the root causes, and any other contributing causes, of the Edenville Dam and Sanford Dam failures, the Federal Energy Regulatory Commission shall conduct a briefing for, and submit a report summarizing such briefing to, the Committee on Energy and Commerce of the House of Representatives that includes—

(1) an explanation of the findings of the Forensic Investigation Team reports on the root causes, and any other contributing causes, of the Edenville Dam and Sanford Dam failures;

(2) a determination of whether the dam safety procedures of the Federal Energy Regulatory Commission should be revised in light of the lessons learned from such reports;

(3) a determination of whether additional safety inspections of dams should be required after large storms;

(4) a determination of whether the safety requirements and testing protocols for dams adequately account for the projected effects of climate change and atmospheric rivers on dams; and

(5) a determination of whether additional actions should be taken to ensure the safety of dams that operate without an emergency spillway.

SEC. 2203. DAM SAFETY CONDITIONS.

Section 10 of the Federal Power Act (16 U.S.C. 803) is amended by adding at the end the following:

''(k) That the dam and other project works meet the Commission's dam safety requirements and that the licensee shall continue to manage, operate, and maintain the dam and other project works in a manner that ensures dam safety and public safety under the operating conditions of the license.''.

SEC. 2204. DAM SAFETY REQUIREMENTS.

Section 15 of the Federal Power Act (16 U.S.C. 808) is amended by adding at the end the following:

''(g) The Commission may issue a new license under this section only if the Commission determines that the dam and other project works covered by the license meet the Commission's dam safety requirements and that the licensee can continue to manage, operate, and maintain the dam and other project works in a manner that ensures dam safety and public safety under the operating conditions of the new license.''.

SEC. 2205. VIABILITY PROCEDURES.

The Federal Energy Regulatory Commission shall establish procedures to assess the financial viability of an applicant for a license under the Federal Power Act to meet applicable dam safety requirements and to operate the dam and project works under the license.

SEC. 2206. FERC DAM SAFETY TECHNICAL CONFERENCE WITH STATES.

(a) TECHNICAL CONFERENCE.—Not later than April 1, 2021, the Federal Energy Regulatory Commission, acting through the Office of Energy Projects, shall hold a technical conference with the States to discuss and provide information on—

(1) dam maintenance and repair;

(2) Risk Informed Decision Making (RIDM);

(3) climate and hydrological regional changes that may affect the structural integrity of dams; and

(4) high hazard dams.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for fiscal year 2021.

(c) STATE DEFINED.—In this section, the term ''State'' has the meaning given such term in section 3 of the Federal Power Act (16 U.S.C. 796).

SEC. 2207. REQUIRED DAM SAFETY COMMUNICATIONS BETWEEN FERC AND STATES.

(a) IN GENERAL.—The Commission, acting through the Office of Energy Projects, shall notify a State within which a project is located when—

(1) the Commission issues a finding, following a dam safety inspection, that requires the licensee for such project to take actions to repair the dam and other project works that are the subject of such finding;

(2) after a period of 5 years starting on the date a finding under paragraph (1) is issued, the licensee has failed to take actions to repair the dam and other project works, as required by such finding; and

(3) the Commission initiates a non-compliance proceeding or otherwise takes steps to revoke a license issued under section 4 of the Federal Power Act (16 U.S.C. 797) due to the failure of a licensee to take actions to repair a dam and other project works.

(b) NOTICE UPON REVOCATION, SURRENDER, OR IMPLIED SURRENDER OF A LICENSE.—If the Commission issues an order to revoke a license or approve the surrender or implied surrender of a license under the Federal Power Act (16 U.S.C. 792 et seq.), the Commission shall provide to the State within which the project that relates to such license is located—

(1) all records pertaining to the structure and operation of the applicable dam and other project works, including, as applicable, any dam safety inspection reports by independent consultants, specifications for required repairs or maintenance of such dam and other project works that have not been completed, and estimates of the costs for such repairs or maintenance;

(2) all records documenting the history of maintenance or repair work for the applicable dam and other project works;

(3) information on the age of the dam and other project works and the hazard classification of the dam and other project works;

(4) the most recent assessment of the condition of the dam and other project works by the Commission;

(5) as applicable, the most recent hydrologic information used to determine the potential maximum flood for the dam and other project works; and

(6) the results of the most recent risk assessment completed on the dam and other project works.

(c) DEFINITION.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(2) LICENSEE.—The term ''licensee'' has the meaning given such term in section 3 of the Federal Power Act (16 U.S.C. 796).

(3) PROJECT.—The term ''project'' has the meaning given such term in section 3 of the Federal Power Act (16 U.S.C. 796).

Subtitle C—Distributed Renewable Energy

SEC. 2301. DEFINITIONS.

In this subtitle:

(1) AUTHORITY HAVING JURISDICTION.—The term ''authority having jurisdiction'' means any State, county, local, or Tribal office or official with jurisdiction—

(A) to issue permits;

(B) to conduct inspections to enforce the requirements of a relevant code or standard; or

(C) to approve the installation of, or the equipment and materials used in the installation of, qualifying distributed energy systems.

(2) BOARD.—The term ''Board'' means the Distributed Energy Opportunity Board established or designated under section 2302(a).

(3) DISTRIBUTED ENERGY SYSTEM INSTALLER.—The term ''distributed energy system installer'' means an entity or individual—

(A) with knowledge and skills relating to—

(i) the construction and operation of the equipment used in qualifying distributed energy systems; and

(ii) the installation of qualifying distributed energy systems; and

(B) that has employed safety training to recognize and avoid the hazards involved in constructing, operating, and installing qualifying distributed energy systems.

(4) QUALIFYING DISTRIBUTED ENERGY SYSTEM.—The term ''qualifying distributed energy system'' means any equipment or materials installed in, on, or near a residential, commercial, or industrial building to support onsite or local energy use, including—

(A) to generate electricity from distributed renewable energy sources, including from—

(i) solar photovoltaic modules or similar solar energy technologies;

(ii) wind power systems; and

(iii) hydrogen electrolysis and fuel cell systems;

(B) to store and discharge electricity from batteries with a capacity of at least 2 kilowatt hours;

(C) to charge a plug-in electric drive vehicle at a power rate of at least 2 kilowatts;

(D) to refuel a fuel cell electric vehicle; or

(E) to store and discharge electricity from fuel cell systems with a capacity of at least 2 kilowatt hours.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 2302. ESTABLISHMENT OR DESIGNATION OF THE DISTRIBUTED ENERGY OPPORTUNITY BOARD.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with trade associations and other entities representing distributed energy system installers and organizations representing State, local, and Tribal governments engaged in permitting, shall establish or designate a nonprofit corporation, to be known as the ''Distributed Energy Opportunity Board'', to carry out a program to streamline the process for local permitting and inspection of qualifying distributed energy systems.

(b) COMPOSITION.—The Board shall include representatives from—

(1) relevant Federal agencies, or organizations that represent those agencies;

(2) State, local, and Tribal governments, or organizations that represent those governments;

(3) distributed energy generation companies;

(4) battery storage companies;

(5) associations that represent the distributed energy generation and battery storage industry;

(6) building code agencies and organizations, including a model energy code-setting organization;

(7) other codes and standards organizations; and

(8) fuel cell system companies.

(c) PURPOSE AND ACTIVITIES OF THE BOARD.—

(1) PURPOSE.—The purpose of the Board is to establish a voluntary program for facilitating—

(A) streamlined permitting processes of qualifying distributed energy systems; and

(B) certification of distributed energy system installers.

(2) ACTIVITIES.—The Board shall—

(A) develop and maintain a streamlined permitting process, such as a national online permitting system and technology platform for expediting, standardizing, and streamlining permitting, that authorities having jurisdiction may use, at the discretion of those authorities, to receive, review, and approve permit applications relating to qualifying distributed energy systems;

(B) establish a model expedited permit-to-build protocol for qualifying distributed energy systems;

(C) provide technical assistance to authorities having jurisdiction on using and adopting—

(i) the streamlined permitting process described in subparagraph (A); and

(ii) the model expedited permit-to-build protocol described in subparagraph (B);

(D)(i) investigate the development of voluntary national certifications for distributed energy system installers and qualifying distributed energy systems; and

(ii) if the Board determines that the national certifications would expedite and streamline the permitting and inspection process, develop the voluntary national certifications;

(E) develop and maintain a voluntary national inspection protocol integrated with the national online permitting system described in subparagraphs (A) and (B) and related tools to expedite, standardize, and streamline the inspection of qualifying distributed energy systems, including—

(i) by investigating the potential for using remote inspections; and

(ii) by investigating the potential for sample-based inspection for distributed energy system installers with a demonstrated track record of high-quality work; and

(F) take any other action to expedite, standardize, streamline, or improve the process for permitting, inspecting, or interconnecting qualifying distributed energy systems.

(d) FEE AUTHORITY.—The Board may assess fees for the provision of services by the Board in amounts determined reasonable and appropriate by the Board, including fees from participating distributed energy system installers relating to the activities of the Board described in subsection (c)(2).

(e) SUPPORT SERVICES.—The Secretary shall—

(1) provide technical assistance to the Board in carrying out the activities described in subsection (c)(2); and

(2) provide such financial assistance to the Board as the Secretary determines to be appropriate from any funds appropriated to carry out this subtitle.

SEC. 2303. DISTRIBUTED ENERGY OPPORTUNITY COMMUNITIES.

(a) IN GENERAL.—The Secretary shall recognize and certify certain communities as ''Distributed Energy Opportunity Communities''.

(b) QUALIFICATIONS.—The Secretary may certify a State, local community, or Tribe as a ''Distributed Energy Opportunity Community'' if that State, local community, or Tribe has adopted and implemented the model expedited permit-to-build protocol established by the Board.

(c) PROCESS.—The Secretary may confer a certification under subsection (a) through existing programs of the Department of Energy.

(d) GRANTS.—The Secretary may award competitive grants, using funds appropriated to the Secretary to carry out this subtitle, to encourage communities to adopt the model expedited permit-to-build protocol and standardized inspection processes established by the Board.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this subtitle $20,000,000 for each of fiscal years 2021 through 2025.

Subtitle D—Low-income Solar

SEC. 2401. GRANT PROGRAM FOR SOLAR INSTALLATIONS LOCATED IN, OR THAT SERVE, LOW-INCOME AND UNDERSERVED AREAS.

(a) DEFINITIONS.—In this section:

(1) BENEFICIARY.—The term ''beneficiary'' means a low-income household or a low-income household in an underserved area.

(2) COMMUNITY SOLAR FACILITY.—The term ''community solar facility'' means a solar generating facility that—

(A) through a voluntary program, has multiple subscribers that receive financial benefits that are directly attributable to the facility;

(B) has a nameplate rating of 5 megawatts AC or less; and

(C) is located in the utility distribution service territory of subscribers.

(3) COMMUNITY SOLAR SUBSCRIPTION.—The term ''community solar subscription'' means a share in the capacity, or a proportional interest in the electricity generation, of a community solar facility.

(4) COVERED FACILITY.—The term ''covered facility'' means—

(A) a community solar facility—

(i) that is located in an underserved area; or

(ii) at least 50 percent of the capacity of which is reserved for low-income households;

(B) a solar generating facility located at a residence of a low-income household; or

(C) a solar generating facility located at a multi-family affordable housing complex.

(5) COVERED STATE.—The term ''covered State'' means a State with processes in place to ensure that covered facilities deliver financial benefits to low-income households.

(6) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a nonprofit organization that provides services to low-income households or multi-family affordable housing complexes;

(B) a developer, owner, or operator of a community solar facility that reserves a portion of

the capacity of the facility for subscribers who are members of low-income households or for low-income households that otherwise financially benefit from the facility;

(C) a covered State, or political subdivision thereof;

(D) an Indian Tribe or a tribally owned electric utility;

(E) a Native Hawaiian community-based organization;

(F) any other national or regional entity that has experience developing or installing solar generating facilities for low-income households that maximize financial benefits to those households; and

(G) an electric cooperative or municipal electric utility (as such terms are defined in section 3 of the Federal Power Act).

(7) ELIGIBLE INSTALLATION PROJECT.—The term ''eligible installation project'' means a project to install a covered facility in a covered State.

(8) ELIGIBLE PLANNING PROJECT.—The term ''eligible planning project'' means a project to carry out pre-installation activities for the development of a covered facility in a covered State.

(9) ELIGIBLE PROJECT.—The term ''eligible project'' means—

(A) an eligible planning project; or

(B) an eligible installation project.

(10) FEASIBILITY STUDY.—The term ''feasibility study'' means any activity to determine the feasibility of a specific solar generating facility, including a customer interest assessment and a siting assessment, as determined by the Secretary.

(11) INDIAN TRIBE.—The term ''Indian Tribe'' means any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village, Regional Corporation, or Village Corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(12) INTERCONNECTION SERVICE.—The term ''interconnection service'' has the meaning given such term in section 111(d)(15) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)(15)).

(13) LOW-INCOME HOUSEHOLD.—The term ''low-income household'' means that income in relation to family size which—

(A) is at or below 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget, except that the Secretary may establish a higher level if the Secretary determines that such a higher level is necessary to carry out the purposes of this section;

(B) is the basis on which cash assistance payments have been paid during the preceding 12-month period under titles IV and XVI of the Social Security Act (42 U.S.C. 601 et seq., 1381 et seq.) or applicable State or local law; or

(C) if a State elects, is the basis for eligibility for assistance under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget.

(14) MULTI-FAMILY AFFORDABLE HOUSING COMPLEX.—The term ''multi-family affordable housing complex'' means any federally subsidized affordable housing complex in which at least 50 percent of the units are reserved for low-income households.

(15) NATIVE HAWAIIAN COMMUNITY-BASED ORGANIZATION.—The term ''Native Hawaiian community-based organization'' means any organization that is composed primarily of Native Hawaiians from a specific community and that assists in the social, cultural, and educational development of Native Hawaiians in that community.

(16) PROGRAM.—The term ''program'' means the program established under subsection (b).

(17) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(18) SOLAR GENERATING FACILITY.—The term ''solar generating facility'' means—

(A) a generator that creates electricity from light photons; and

(B) the accompanying hardware enabling that electricity to flow—

(i) onto the electric grid;

(ii) into a facility or structure; or

(iii) into an energy storage device.

(19) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

(20) SUBSCRIBER.—The term ''subscriber'' means a person who—

(A) owns a community solar subscription, or an equivalent unit or share of the capacity or generation of a community solar facility; or

(B) financially benefits from a community solar facility, even if the person does not own a community solar subscription for the facility.

(21) UNDERSERVED AREA.—The term ''underserved area'' means—

(A) a geographical area with low or no photovoltaic solar deployment, as determined by the Secretary;

(B) a geographical area that has low or no access to electricity, as determined by the Secretary;

(C) a geographical area with an average annual residential retail electricity price that exceeds the national average annual residential retail electricity price (as reported by the Energy Information Agency) by 50 percent or more; or

(D) trust land, as defined in section 3765 of title 38, United States Code.

(b) ESTABLISHMENT.—The Secretary shall establish a program to provide financial assistance to eligible entities to—

(1) carry out planning projects that are necessary to establish the feasibility, obtain required permits, identify beneficiaries, or secure subscribers to install a covered facility; or

(2) install a covered facility for beneficiaries in accordance with this section.

(c) APPLICATIONS.—

(1) IN GENERAL.—To be eligible to receive assistance under the program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) INCLUSION FOR INSTALLATION ASSISTANCE.—

(A) REQUIREMENTS.—For an eligible entity to receive assistance for a project to install a covered facility, the Secretary shall require the eligible entity to include—

(i) information in the application that is sufficient to demonstrate that the eligible entity has obtained, or has the capacity to obtain, necessary permits, subscribers, access to an installation site, and any other items or agreements necessary to comply with an agreement under subsection (g)(1) and to complete the installation of the applicable covered facility;

(ii) a description of the mechanism through which financial benefits will be distributed to beneficiaries or subscribers; and

(iii) an estimate of the anticipated financial benefit for beneficiaries or subscribers.

(B) CONSIDERATION OF PLANNING PROJECTS.—The Secretary shall consider the successful completion of an eligible planning project pursuant to subsection (b)(1) by the eligible entity to be sufficient to demonstrate the ability of the eligible entity to meet the requirements of subparagraph (A)(i).

(d) SELECTION.—

(1) IN GENERAL.—In selecting eligible projects to receive assistance under the program, the Secretary shall—

(A) prioritize—

(i) eligible installation projects that will result in the most financial benefit for subscribers, as determined by the Secretary;

(ii) eligible installation projects that will result in development of covered facilities in underserved areas; and

(iii) eligible projects that include apprenticeship, job training, or community participation as part of their application; and

(B) ensure that such assistance is provided in a manner that results in eligible projects being carried out on a geographically diverse basis within and among covered States.

(2) DETERMINATION OF FINANCIAL BENEFIT.—In determining the amount of financial benefit for low-income households of an eligible installation project, the Secretary shall ensure that all calculations for estimated household energy savings are based solely on electricity offsets from the applicable covered facility and use formulas established by the State or local government with jurisdiction over the applicable covered facility for verifiable household energy savings estimates that accrue to low-income households.

(e) ASSISTANCE.—

(1) FORM.—The Secretary may provide assistance under the program in the form of a grant (which may be in the form of a rebate) or a low-interest loan.

(2) MULTIPLE PROJECTS FOR SAME FACILITY.—

(A) IN GENERAL.—An eligible entity may apply for assistance under the program for an eligible planning project and an eligible installation project for the same covered facility.

(B) SEPARATE SELECTIONS.—Selection by the Secretary for assistance under the program of an eligible planning project does not require the Secretary to select for assistance under the program an eligible installation project for the same covered facility.

(f) USE OF ASSISTANCE.—

(1) ELIGIBLE PLANNING PROJECTS.—An eligible entity receiving assistance for an eligible planning project under the program may use such assistance to pay the costs of pre-installation activities associated with an applicable covered facility, including—

(A) feasibility studies;

(B) permitting;

(C) site assessment;

(D) on-site job training, or other community-based activities directly associated with the eligible planning project; or

(E) such other costs determined by the Secretary to be appropriate.

(2) ELIGIBLE INSTALLATION PROJECTS.—An eligible entity receiving assistance for an eligible installation project under the program may use such assistance to pay the costs of—

(A) installation of a covered facility, including costs associated with materials, permitting, labor, or site preparation;

(B) storage technology sited at a covered facility;

(C) interconnection service expenses;

(D) on-site job training, or other community-based activities directly associated with the eligible installation project;

(E) offsetting the cost of a subscription for a covered facility described in subparagraph (A) of subsection (a)(4) for subscribers that are members of a low income household; or

(F) such other costs determined by the Secretary to be appropriate.

(g) ADMINISTRATION.—

(1) AGREEMENTS.—

(A) IN GENERAL.—As a condition of receiving assistance under the program, an eligible entity shall enter into an agreement with the Secretary.

(B) REQUIREMENTS.—An agreement entered into under this paragraph—

(i) shall require the eligible entity to maintain such records and adopt such administrative practices as the Secretary may require to ensure compliance with the requirements of this section and the agreement;

(ii) with respect to an eligible installation project shall require that any solar generating facility installed using assistance provided pursuant to the agreement comply with local building and safety codes and standards; and

(iii) shall contain such other terms as the Secretary may require to ensure compliance with the requirements of this section.

(C) TERM.—An agreement under this paragraph shall be for a term that begins on the date on which the agreement is entered into and ends on the date that is 2 years after the date on which the eligible entity receives assistance pursuant to the agreement, which term may be extended once for a period of not more than 1 year if the eligible entity demonstrates to the satisfaction of the Secretary that such an extension is necessary to complete the activities required by the agreement.

(2) USE OF FUNDS.—Of the funds made available to provide assistance to eligible installation projects under this section over the period of fiscal years 2021 through 2025, the Secretary shall use—

(A) not less than 50 percent to provide assistance for eligible installation projects with respect to which low-income households make up at least 50 percent of the subscribers to the project; and

(B) not more than 50 percent to provide assistance for eligible installation projects with respect to which low-income households make up at least 25 percent of the subscribers to the project.

(3) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register regulations to carry out this section, which shall take effect on the date of publication.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section $200,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

(2) AMOUNTS FOR PLANNING PROJECTS.—Of the amounts appropriated pursuant to this section over the period of fiscal years 2021 through 2025, the Secretary shall use not more than 15 percent of funds to provide assistance to eligible planning projects.

(i) RELATIONSHIP TO OTHER ASSISTANCE.—The Secretary shall, to the extent practicable, encourage eligible entities that receive assistance under this section to leverage such funds by seeking additional funding through federally or locally subsidized weatherization and energy efficiency programs.

Subtitle E—Research and Development

PART 1—SOLAR ENERGY RESEARCH AND DEVELOPMENT

SEC. 2501. DEFINITIONS.

In this part:

(1) The term ''eligible entity'' means any of the following entities:

(A) An institution of higher education.

(B) A National Laboratory.

(C) A Federal research agency.

(D) A State research agency.

(E) A nonprofit research organization.

(F) An industrial entity or a multi-institutional consortium thereof.

(2) The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) The term ''National Laboratory'' has the meaning given such term in section 2(3) of the Energy Policy Act of 2005 (42 U.S.C. 15801(3)).

(4) The term ''photovoltaic device'' includes photovoltaic cells and the electronic and electrical components of such devices.

(5) The term ''Secretary'' means the Secretary of Energy.

SEC. 2502. SOLAR ENERGY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary shall carry out a solar energy program to conduct research, development, demonstration, and commercial application of solar energy technologies. In carrying out such program, the Secretary shall, in accordance with subsection (b), award grants and enter into contracts and cooperative agreements under this section, and sections 2503, 2504, and 2505 for each of the following purposes:

(1) To improve the energy efficiency, siting, reliability, resilience, security, capacity, and environmental performance of solar energy generation.

(2) To optimize the design and adaptability of solar energy systems to the broadest practical range of geographic and atmospheric conditions.

(3) To reduce the cost of manufacturing, installation, operation, maintenance, and decommissioning of solar energy systems.

(4) To create and improve conversion of solar energy to useful forms.

(b) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

(1) GRANTS.—In carrying out the program established under subsection (a), the Secretary shall award grants on a competitive, merit-reviewed basis to eligible entities for projects that the Secretary determines would best achieve the goals of the program.

(2) CONTRACTS AND COOPERATIVE AGREEMENTS.—In carrying out the program established under subsection (a), the Secretary may enter into contracts and cooperative agreements with eligible entities and Federal agencies for projects that the Secretary determines would further the purposes of the program.

(3) APPLICATION.—An entity seeking a grant or a contract or agreement under this part shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) SOLAR ENERGY RESEARCH SUBJECT AREAS.—The program established under subsection (a) shall focus on the research, development, demonstration, and commercial application of each of the following subject areas:

(1) Photovoltaic devices and related electronic components, including converters, sensors, energy monitors, communication and control equipment, and protocols.

(2) Concentrated solar power, including solar thermal and concentrating solar photovoltaic technologies.

(3) Low cost, high-quality solar energy systems.

(4) Low cost, thin-film solar technologies, including the use of perovskite and cadmium telluride materials in solar cells.

(5) Solar heating and cooling systems, including distributed solar-powered air conditioning.

(6) Solar technology products that can be easily integrated into new buildings, existing buildings, agricultural and aquatic environments, and other infrastructure.

(7) Solar technology that is resilient to extreme weather events.

(8) Solar technology products integrated into transportation applications in coordination with vehicle technologies research and development activities supported by the Department of Energy.

(9) Storage technologies to address the transience and intermittency of solar energy resources, including batteries, supercapacitors, and thermal storage.

(10) Microgrids using solar technology.

(11) Solar technologies enabling safe grid operating conditions, such as fast-disconnect during an emergency.

(12) Distributed solar energy technologies, such as rooftop solar panels.

(13) Technologies and designs that enable a broad range of scales for solar power production.

(14) Advanced solar manufacturing technologies and best practices, including—

(A) materials and processes;

(B) development of industry standards;

(C) design and integration practices; and

(D) optimized packaging methods and new device designs.

(15) Advanced analytic and computing capabilities for better modeling and simulations of solar energy systems.

(16) Electrical grid integration, including—

(A) integration of solar technologies into smart grid, transmission, and distribution;

(B) coordination of solar with other distributed and large-scale energy resources;

(C) electrical power smoothing;

(D) microgrid integration;

(E) community solar;

(F) solar resource forecasting;

(G) regional and national electric system balancing and long distance transmission options, including direct current and superconducting transmission and long-term storage options;

(H) ways to address system operations over minutes, hours, days, weeks, and seasons with respect to the full range of project scales; and

(I) electric grid security, including cyber and physical security.

(17) Non-hardware and information-based advances in solar energy system siting, design, installation, operation, maintenance, and decommissioning.

(18) Solar energy technology as a part of strategies commonly referred to as ''behind-the-meter strategies'', including with respect to electricity generation, load, energy efficiency, controls, storage, and electric vehicles.

(19) Methods to reduce the total volume of water used in the manufacture, construction, operation, and maintenance of solar energy technologies.

(20) Siting of solar energy on previously disturbed lands, including landfills, former mines, and other areas requiring environmental management.

(21) Other subject areas determined by the Secretary.

(d) TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.—In carrying out the program established under subsection (a), the Secretary shall also conduct, for purposes of supporting technical, non-hardware, and information-based advances in solar energy systems development and operations, including activities expanding access to solar energy for low-income and disadvantaged individuals and communities—

(1) technical assistance and analysis activities with eligible entities; and

(2) workforce development and training activities, including—

(A) activities that support the dissemination of standards and best practices for enabling solar power production; and

(B) through the use of proven techniques to expand the number of individuals from underrepresented groups pursuing and attaining skills relevant to solar energy.

(e) PROGRAM TARGETS.—The program established under subsection (a) shall address near-term (up to 2 years), mid-term (up to 7 years), and long-term (up to 15 years) challenges to the advancement of solar energy systems.

(f) SUSTAINABLE CHEMISTRY.—Each entity receiving a grant, contract, or cooperative agreement under this section shall endeavor, in carrying out activities under such grant, contract, or cooperative agreement, to incorporate, where appropriate, sustainable and green chemistry and engineering principles, practices, and methodologies.

(g) WILDLIFE IMPACT MITIGATION.—In carrying out the program established under subsection (a), the Secretary shall support wildlife impact mitigation technologies and strategies, including the use of distributed solar technologies, to avoid, minimize, and offset the potential negative impacts of solar energy systems on wildlife, including bird species, habitat, and local flora and fauna.

(h) STEWARDSHIP OF NATIONAL LABORATORY RESOURCES.—In awarding grants and entering into contracts and cooperative agreements under this part, the Secretary shall steward relevant capabilities and programs of the National Laboratories.

(i) CONFORMING REPEALS.—The following provisions of law are hereby repealed:

(1) The Solar Energy Research, Development, and Demonstration Act of 1974 (42 U.S.C. 5551 et seq.), except for section 10.

(2) The Solar Photovoltaic Energy Research, Development, and Demonstration Act of 1978 (42 U.S.C. 5581 et seq.).

(3) Paragraphs (2) and (3) of section 4(a) of the Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989 (42 U.S.C. 12003(a)).

(4) Subparagraph (A) of section 931(a)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16231(a)(2)).

(5) Sections 606 and 607 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17174 and 17175).

(j) CONFORMING AMENDMENT.—The table of contents in section 1 of the Energy Independence and Security Act of 2007 is amended by striking the items relating to section 606 and 607.

SEC. 2503. SOLAR ENERGY DEMONSTRATION PROJECTS.

(a) IN GENERAL.—In carrying out the program established under section 2502(a), the Secretary shall award grants on a competitive, merit-reviewed basis to eligible entities for demonstration projects to advance the development of solar energy technologies and systems production.

(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to projects that—

(1) are located in geographically diverse regions of the United States;

(2) can be replicated in a variety of regions and climates;

(3) demonstrate technologies that address intermittency, variability, storage challenges, behind-the-meter operations, and independent operational capability;

(4) coordinate solar technologies with other distributed and large-scale energy resources;

(5) facilitate identification of optimum approaches among competing solar energy technologies;

(6) include business commercialization plans that have the potential for production of solar energy equipment at high volumes;

(7) support the development of advanced manufacturing technologies that have the potential to improve United States competitiveness in the international solar energy manufacturing sector;

(8) provide the greatest potential to reduce energy costs, as well as promote accessibility and community implementation of demonstrated technologies, for consumers;

(9) increase disclosure and transparency of information to all market participants to help in making optimal decisions;

(10) promote overall electric infrastructure reliability, security, and resilience should grid functions be disrupted or damaged;

(11) promote solar energy in low-income communities and those disproportionately burdened by environmental pollution; and

(12) satisfy any other criteria that the Secretary determines appropriate.

(c) USE OF FUNDS.—Grants under this section may be used, to the extent that funding is not otherwise available through other Federal programs or power purchase agreements, for—

(1) any necessary site engineering study;

(2) an economic assessment of site-specific conditions;

(3) appropriate feasibility studies to determine whether the demonstration can be replicated;

(4) installation of equipment, service, and support;

(5) operation for at least the minimum amount of time required to fully assess the project's results and objectives, as determined by a peer-reviewed process; and

(6) validation of technical, economic, and environmental assumptions and documentation of lessons learned.

(d) SOLICITATION.—Not later than 90 days after the date of enactment of this Act and biennially thereafter, the Secretary shall conduct a national solicitation for applications for grants under this section.

SEC. 2504. NEXT GENERATION SOLAR ENERGY MANUFACTURING INITIATIVE.

(a) IN GENERAL.—In carrying out the program established under section 2502(a), the Secretary shall conduct research, development, demonstration, and commercial application projects, in accordance with section 2502(b), to advance new solar energy manufacturing technologies and techniques, including those that manufacture solar cells, hardware, and enabling devices.

(b) STRATEGIC VISION REPORT.—

(1) IN GENERAL.—Not later than September 1, 2021, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and any other committees of Congress deemed appropriate by the Secretary a report on the results of a study that examines the viable market opportunities available for solar energy technology manufacturing in the United States, including solar cells, hardware, and enabling technologies.

(2) REPORT REQUIREMENTS.—The report under paragraph (1) shall include—

(A) a description of—

(i) the ability to competitively manufacture solar technology in the United States, including the manufacture of—

(I) new and advanced materials, such as cells made with new, cost-effective, high efficiency materials;

(II) solar module equipment and enabling technologies, including smart inverters, sensors, and tracking equipment;

(III) innovative solar module designs and applications, including those that can directly integrate with new and existing buildings and other infrastructure; and

(IV) other research areas as determined by the Secretary; and

(ii) opportunities and barriers within the United States and international solar energy technology supply chains;

(B) policy recommendations for enhancing solar energy technology manufacturing in the United States; and

(C) an aggressive 10-year target and plan, beginning in 2022, to enhance the competitiveness of solar energy technology manufacturing in the United States.

(c) PROGRAM IMPLEMENTATION.—In carrying out the research, development, demonstration, and commercial application activities under this section, to the extent practicable, the Secretary shall follow the recommendations included in the report under subsection (b) and award grants and enter into contracts and cooperative agreements for solar energy manufacturing projects that—

(1) reduce capital expenditures or provide lower-cost manufacturing options;

(2) eliminate manufacturing process steps;

(3) reduce energy, water, and material inputs;

(4) establish alternative supply chains for materials and components; and

(5) take advantage of rapid prototyping, small batch manufacturing, and roll-to-roll processing.

(d) PROGRAM EVALUATION.—Beginning not later than 3 years after the completion of the report under subsection (b), and every 4 years thereafter, the Secretary shall provide, and make available to the public and the relevant authorizing and appropriations committees of Congress, an independent review of the program authorized under this section to evaluate its progress toward meeting the policy recommendations and targets determined in the report.

SEC. 2505. PHOTOVOLTAIC DEVICE RECYCLING RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—In carrying out the program established under section 2502(a), the Secretary shall conduct research, development, demonstration, and commercial application projects, in accordance with section 2502(b), to advance innovative and practical approaches to increase reuse and recycling of photovoltaic devices.

(b) PURPOSE.—The Secretary shall award grants and enter into contracts and cooperative agreements under subsection (a) for projects that address—

(1) technology to increase the efficiency of photovoltaic device recycling and maximize the recovery of valuable raw materials for use in new products while minimizing the life-cycle environmental impacts such as greenhouse gas emissions and water usage;

(2) expanded uses for materials from recycled photovoltaic devices;

(3) development and demonstration of environmentally responsible alternatives to the use of hazardous materials in photovoltaic devices and the production of such devices;

(4) development of methods to separate and remove hazardous materials from photovoltaic devices and to recycle or dispose of those materials in a safe and low-cost manner;

(5) product design and construction to facilitate disassembly and recycling of photovoltaic devices;

(6) tools and methods to aid in assessing the environmental impacts of the production of photovoltaic devices and photovoltaic device recycling and disposal;

(7) product design and construction and other tools and techniques to extend the life cycle of photovoltaic devices, including methods to promote their safe reuse; and

(8) strategies to increase consumer acceptance and practice of recycling of photovoltaic devices.

(c) APPLICATIONS.—An eligible entity seeking a grant, contract, or cooperative agreement under this section shall submit to the Secretary an application that includes a description of—

(1) the project that will be undertaken and the contributions of each participating entity; and

(2) the applicability of the project to increasing reuse and recycling of photovoltaic devices with the least environmental impacts as measured by life-cycle analyses, and the potential for incorporating the research results into industry practice.

(d) DISSEMINATION OF RESULTS.—The Secretary shall publish the results of projects supported under this section through—

(1) development of best practices or training materials for use in the photovoltaics manufacturing, design, installation, refurbishing, disposal, or recycling industries;

(2) dissemination at industry conferences;

(3) coordination with information dissemination programs relating to recycling of electronic devices in general;

(4) demonstration projects; and

(5) educational materials for the public produced in conjunction with State, Tribal, and local governments or nonprofit organizations on the problems and solutions related to reuse and recycling of photovoltaic devices.

(e) PHOTOVOLTAIC MATERIALS PHYSICAL PROPERTY DATABASE.—

(1) IN GENERAL.—Not later than September 1, 2022, the Secretary shall establish a comprehensive physical property database of materials for use in photovoltaic devices. Such database shall include—

(A) identification of materials used in photovoltaic devices;

(B) a list of commercially available amounts of these materials and their country of origin;

(C) amounts of these materials projected to be available through mining or recycling of photovoltaic and other electronic devices; and

(D) a list of other significant uses for each of these materials.

(2) PRIORITIES.—Not later than September 1, 2021, the Secretary, working with private industry, shall develop a plan to establish priorities and requirements for the database under this subsection, including the protection of proprietary information, trade secrets, and other confidential business information.

(3) COORDINATION.—The Secretary shall coordinate with the Director of the National Institute of Standards and Technology, the Administrator of the Environmental Protection Agency, and the Administrator of the Department of Interior to facilitate the incorporation of the database under this subsection with any existing database for materials involved in electronic manufacturing and recycling.

SEC. 2506. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this part—

(1) $294,000,000 for fiscal year 2021;

(2) $308,700,000 for fiscal year 2022;

(3) $324,135,000 for fiscal year 2023;

(4) $340,341,750 for fiscal year 2024; and

(5) $357,358,838 for fiscal year 2025.

PART 2—WIND ENERGY RESEARCH AND DEVELOPMENT

SEC. 2521. DEFINITIONS.

In this section:

(1) The term ''eligible entity'' means any of the following entities:

(A) An institution of higher education.

(B) A National Laboratory.

(C) A Federal research agency.

(D) A State research agency.

(E) A nonprofit research organization.

(F) An industrial entity or a multi-institutional consortium thereof.

(2) The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) The term ''National Laboratory'' has the meaning given such term in section 2(3) of the Energy Policy Act of 2005 (42 U.S.C. 15801(3)).

(4) The term ''supersized turbine'' means a 12 megawatt or greater wind turbine, typically with a tower height greater than 140 meters and blades greater than 75 meters.

SEC. 2522. WIND ENERGY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Energy (in this part, referred to as the ''Secretary'') shall carry out a program to conduct research, development, demonstration, and commercial application of wind energy technologies. In carrying out such program and in accordance with subsection (b), the Secretary shall award grants and enter into contracts and cooperative agreements under this section and sections 2523, 2524, and 2525 for each of the following purposes:

(1) To improve the energy efficiency, reliability, resilience, security, and capacity of wind energy generation.

(2) To optimize the design and control of wind energy systems for the broadest practical range of geographic and atmospheric conditions.

(3) To reduce the cost and risk of siting, permitting, construction, operation, maintenance, and decommissioning of wind energy systems, including strategies and technologies to reduce environmental and community impacts, improve grid integration, and reduce regulatory barriers.

(4) To improve materials, engineering, and manufacturing processes for turbines, including supersized turbines.

(5) To optimize wind plant performance and integration within hybrid energy systems to enhance cost efficiency and electric grid stability and resilience.

(b) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

(1) GRANTS.—In carrying out the program, the Secretary shall award grants on a competitive, merit-reviewed basis to eligible entities for projects that the Secretary determines would best achieve the goals of the program.

(2) CONTRACTS AND COOPERATIVE AGREEMENTS.—In carrying out the program, the Secretary may enter into contracts and cooperative agreements with eligible entities and Federal agencies for projects that the Secretary determines would further the purposes of the program.

(3) APPLICATION.—An entity seeking funding or a contract or agreement under this subsection shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) WIND ENERGY RESEARCH SUBJECT AREAS.—The program established under subsection (a) shall focus on the research, development, demonstration, and commercial application of each of the following subject areas:

(1) Wind power plant siting, performance, and operations including—

(A) wind flows and turbine-to-turbine interactions;

(B) energy conversion potential;

(C) turbine and wind plant control paradigms;

(D) turbine and wind plant security;

(E) turbine components;

(F) integrated hybrid plant systems;

(G) wind energy siting and its effects on wildlife and habitat; and

(H) siting of wind energy on previously disturbed lands, including landfills, former mines, and other areas requiring environmental management.

(2) New materials and designs related to blades, rotors, towers and drivetrains including—

(A) higher tip speed rotor designs;

(B) low noise rotor designs;

(C) advanced drivetrain and generator concepts;

(D) modular construction and onsite or near-site manufacturing and assembly techniques;

(E) sustainable and recyclable materials and manufacturing systems;

(F) supersized turbine design and installation approaches; and

(G) lightweight materials.

(3) Offshore wind-specific projects including—

(A) fixed and floating substructure concepts, including technologies and strategies to minimize potential acoustic disturbances to marine species;

(B) projects to assess and mitigate the impacts of hurricane wind flow, freshwater ice, and other United States-specific conditions;

(C) innovative operations and maintenance strategies;

(D) analysis of offshore meteorological, geological, biological, and oceanographic data collection;

(E) offshore infrastructure monitoring; and

(F) analysis of corrosion and fatigue for the purpose of extending the design life of offshore wind turbine substructures.

(4) Recycling and reuse of wind energy components.

(5) Wind power forecasting and atmospheric measurement systems, including for turbines and plant systems of varying height.

(6) Distributed wind-specific projects, including—

(A) cost-effective turbine designs, components, and manufacturing; and

(B) microgrid applications.

(7) Advanced transportation mechanisms for wind turbine components.

(8) Transformational technologies for harnessing wind energy, including airborne wind energy concepts.

(9) Methods to extend the operational lifetime of onshore and offshore wind turbines and systems.

(10) Storage technologies to address the transience and intermittency of wind energy resources.

(11) Other research areas as determined by the Secretary.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the potential for, and technical viability of, airborne wind energy systems to provide a significant source of energy in the United States.

(2) CONTENTS.—The report under paragraph (1) shall include a summary of research, development, demonstration, and commercial application needs, including an estimate of Federal funding requirements, to further examine and validate the technical and economic viability of airborne wind energy concepts over the 10-year period beginning on the date of the enactment of this Act.

(e) COORDINATION.—To the maximum extent practicable, the Secretary shall coordinate activities under the program established under subsection (a) with other relevant programs and capabilities of the Department of Energy and other Federal research programs.

(f) CONFORMING REPEALS.—

(1) Section 931(a)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16231(a)(2)) is amended by striking subparagraph (B) and redesignating subparagraphs (C) through (E) as subparagraphs (A) through (C).

(2) Section 4(a) of the Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989 (42 U.S.C. 12003(a)) is amended by striking paragraph (1).

SEC. 2523. WIND ENERGY DEMONSTRATION AND VALIDATION PROJECTS.

(a) IN GENERAL.—In carrying out the program established under section 2522(a), the Secretary shall award grants on a competitive, merit-reviewed basis to eligible entities to support activities that demonstrate and validate new wind energy technologies with the potential to be cost-competitive for land-based, offshore, and distributed applications.

(b) APPLICATION.—An eligible entity seeking a grant under this section shall submit an application in such form and manner as the Secretary may prescribe and that contains—

(1) a certification that any demonstration or validation project carried out using grant funds are—

(A) conducted in collaboration with industry and, as appropriate, with institutions of higher education and other Federal research programs; and

(B) of sufficient size and geographic diversity to measure wind energy system performance under the full productive range of wind conditions in the United States; and

(2) such other information as the Secretary may require.

(c) FACILITY FOR HYBRID ENERGY SYSTEM RESEARCH AND DEMONSTRATION PROJECTS.—In carrying out the program established under subsection (a), the Secretary shall support a facility to conduct research, development, demonstration, and commercial application projects for wind turbines and plants in hybrid energy systems that incorporate diverse generation sources, loads, and storage technologies.

(d) OFFSHORE RESEARCH FACILITY.—In carrying out the program established under subsection (a), the Secretary shall establish a facility to conduct research, development, demonstration, and commercial application projects for ocean and atmospheric resource characterization relevant to offshore wind energy development in coordination with the ocean and atmospheric science communities. The facility shall be an offshore area used to evaluate, test, and advance atmospheric, oceanic, biologic, and geologic monitoring technologies that improve offshore wind energy development, including the generation of benchmark data sets for testing offshore wind energy technologies and informing how such technologies can be financed, insured, and regulated.

(e) OFFSHORE SUPPORT STRUCTURE TESTING FACILITY.—In carrying out the program established under subsection (a), the Secretary shall create a facility to conduct research, development, demonstration, and commercial application projects for large-scale and full-scale offshore wind energy support structure components and systems.

SEC. 2524. WIND ENERGY INCUBATOR FUNDING.

In carrying out the program established under section 2522(a), the Secretary shall support, in

accordance with section 2522(b), incubators advancing innovative technologies that are not represented in a significant way in—

(1) the portfolio of wind energy research activities carried out by the Department of Energy as of the date of the enactment of this Act; or

(2) technology roadmaps used by the Department of Energy as of such date of enactment.

SEC. 2525. MITIGATING REGULATORY AND MARKET BARRIERS.

(a) IN GENERAL.—In carrying out the program established under section 2522(a), the Secretary shall research, develop, test, and evaluate, in accordance with section 2522(b), ways to reduce regulatory and market barriers to the widespread adoption of wind power, including—

(1) grid transmission and integration challenges; and

(2) siting and permitting issues associated with the potential impacts of wind power systems on wildlife, radar systems, local communities, military operations, and airspace.

(b) WILDLIFE IMPACT MITIGATION.—In carrying out the activities described in subsection (a), the Secretary shall support the research, development, demonstration, and commercial application of wildlife impact mitigation technologies or strategies to avoid, minimize, and offset the potential impacts of wind energy facilities on—

(1) bald and golden eagles;

(2) bat species;

(3) marine wildlife; and

(4) other sensitive species and habitats.

(c) EDUCATION AND OUTREACH.—In carrying out the activities described in subsection (a), the Secretary shall support education and outreach activities, with a focus on low-income and disadvantaged communities, to disseminate information and promote public understanding of wind technologies and the wind energy workforce, including through the Collegiate Wind Competition.

(d) TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.—In carrying out the program established under section 2522(a), the Secretary shall also conduct, for purposes of supporting technical, non-hardware, and information based advances in wind energy systems' development and operation, including activities expanding access to wind energy for low-income individuals and disadvantaged individuals and communities—

(1) technical assistance and analysis activities with eligible entities; and

(2) workforce development and training activities, including—

(A) activities that support the dissemination of standards and best practices for enabling wind power production; and

(B) through the use of proven techniques to expand the number of individuals from underrepresented groups pursuing and attaining skills relevant to wind energy.

SEC. 2526. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this part—

(1) $109,200,000 for fiscal year 2021;

(2) $114,660,000 for fiscal year 2022;

(3) $120,393,000 for fiscal year 2023;

(4) $126,412,650 for fiscal year 2024; and

(5) $132,733,282 for fiscal year 2025.

PART 3—ADVANCED GEOTHERMAL RESEARCH AND DEVELOPMENT

SEC. 2541. DEFINITIONS.

Section 612 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17191) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) ENGINEERED.—When referring to enhanced geothermal systems, the term 'engineered' means designed to access subsurface heat, including stimulation and nonstimulation technologies to address one or more of the following issues:

''(A) Lack of effective permeability, porosity or open fracture connectivity within the heat reservoir.

''(B) Insufficient contained geofluid in the heat reservoir.

''(C) A low average geothermal gradient which necessitates deeper drilling, or the use of alternative heat sources or heat generation processes.'';

(2) by redesignating paragraphs (2) through (7) as paragraphs (3) through (8), respectively;

(3) by adding after paragraph (1) the following:

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means any of the following entities:

''(A) An institution of higher education.

''(B) A National laboratory.

''(C) A Federal research agency.

''(D) A State research agency.

''(E) A nonprofit research organization.

''(F) An industrial entity.

''(G) A consortium of 2 or more entities described in subparagraphs (A) through (F).''; and

(4) by adding at the end the following:

''(9) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C 1001).''.

SEC. 2542. HYDROTHERMAL RESEARCH AND DEVELOPMENT.

Section 613 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17192) is amended to read as follows:

''SEC. 613. HYDROTHERMAL RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Secretary shall carry out a program of research, development, demonstration, and commercial application for geothermal energy production from hydrothermal systems.

''(b) PROGRAMS.—The program authorized in subsection (a) shall include the following:

''(1) ADVANCED HYDROTHERMAL RESOURCE TOOLS.—The research and development of advanced geologic tools to assist in locating hydrothermal resources, and to increase the reliability of site characterization, including the development of new imaging and sensing technologies and techniques to assist in prioritization of targets for characterization;

''(2) EXPLORATORY DRILLING FOR GEOTHERMAL RESOURCES.—The demonstration of advanced technologies and techniques of siting and exploratory drilling for undiscovered resources in a variety of geologic settings, carried out in collaboration with industry partners that will assist in the acquisition of high quality data sets relevant for hydrothermal subsurface characterization activities.''.

SEC. 2543. GENERAL GEOTHERMAL SYSTEMS RESEARCH AND DEVELOPMENT.

Section 614 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17193) is amended to read as follows:

''SEC. 614. GENERAL GEOTHERMAL SYSTEMS RESEARCH AND DEVELOPMENT.

''(a) SUBSURFACE COMPONENTS AND SYSTEMS.—The Secretary shall support a program of research, development, demonstration, and commercial application of components and systems capable of withstanding geothermal environments and necessary to develop, produce, and monitor geothermal reservoirs and produce geothermal energy.

''(b) ENVIRONMENTAL IMPACTS.—The Secretary shall—

''(1) support a program of research, development, demonstration, and commercial application of technologies and practices designed to mitigate or preclude potential adverse environmental impacts of geothermal energy development, production or use; and

''(2) support a research program to identify potential environmental impacts, including induced seismicity, and environmental benefits of geothermal energy development, production, and use, and ensure that the program described in paragraph (1) addresses such impacts, including water use and effects on groundwater and local hydrology;

''(3) support a program of research to compare the potential environmental impacts and environmental benefits identified as part of the development, production, and use of geothermal energy with the potential emission reductions of greenhouse gases gained by geothermal energy development, production, and use; and

''(4) in carrying out this section, the Secretary shall, to the maximum extent practicable, consult with relevant federal agencies, including the Environmental Protection Agency.

''(c) RESERVOIR THERMAL ENERGY STORAGE.—The Secretary shall support a program of research, development, and demonstration of reservoir thermal energy storage, emphasizing cost-effective improvements through deep direct use engineering, design, and systems research.

''(d) OIL AND GAS TECHNOLOGY TRANSFER INITIATIVE.—

''(1) IN GENERAL.—The Secretary shall support an initiative among the Office of Fossil Energy, the Office of Energy Efficiency and Renewable Energy, and the private sector to research, develop, and demonstrate relevant advanced technologies and operation techniques used in the oil and gas sector for use in geothermal energy development.

''(2) PRIORITIES.—In carrying out paragraph (1), the Secretary shall prioritize technologies with the greatest potential to significantly increase the use and lower the cost of geothermal energy in the United States, including the cost and speed of geothermal drilling surface technologies, and well construction.

''(e) COPRODUCTION OF GEOTHERMAL ENERGY AND MINERALS PRODUCTION RESEARCH AND DEVELOPMENT INITIATIVE.—

''(1) IN GENERAL.—The Secretary shall carry out a research and development initiative under which the Secretary shall award grants to demonstrate the coproduction of critical minerals from geothermal resources.

''(2) REQUIREMENTS.—An award made under paragraph (1) shall—

''(A) improve the cost effectiveness of removing minerals from geothermal brines as part of the coproduction process;

''(B) increase recovery rates of the targeted mineral commodity;

''(C) decrease water use and other environmental impacts, as determined by the Secretary; and

''(D) demonstrate a path to commercial viability.

''(f) FLEXIBLE OPERATIONS.—The Secretary shall support a research initiative on flexible operation of geothermal power plants.

''(g) HYBRID ENERGY SYSTEMS.—The Secretary shall identify opportunities for joint research, development, and demonstration programs between geothermal systems and other energy generation or storage systems.''.

SEC. 2544. ENHANCED GEOTHERMAL SYSTEMS RESEARCH AND DEVELOPMENT.

Section 615 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17194) is amended to read as follows:

''SEC. 615. ENHANCED GEOTHERMAL SYSTEMS RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Secretary shall support a program of research, development, demonstration, and commercial application for enhanced geothermal systems, including the programs described in subsection (b).

''(b) ENHANCED GEOTHERMAL SYSTEMS TECHNOLOGIES.—In collaboration with industry partners, institutions of higher education, and the national laboratories, the Secretary shall support a program of research, development, demonstration, and commercial application of the technologies to achieve higher efficiency and lower cost enhanced geothermal systems, including—

''(1) reservoir stimulation;

''(2) drilled, non-stimulated (e.g. closed-loop) reservoir technologies;

''(3) reservoir characterization, monitoring, and modeling and understanding of the surface area and volume of fractures;

''(4) stress and fracture mapping including real time monitoring and modeling;

''(5) tracer development;

''(6) three and four-dimensional seismic imaging and tomography;

''(7) well placement and orientation;

''(8) long-term reservoir management;

''(9) drilling technologies, methods, and tools;

''(10) improved exploration tools;

''(11) zonal isolation; and

''(12) understanding induced seismicity risks from reservoir engineering and stimulation.

''(c) FRONTIER OBSERVATORY FOR RESEARCH IN GEOTHERMAL ENERGY.—The Secretary shall support the establishment and construction of up to 3 field research sites, which shall each be known as a 'Frontier Observatory for Research in Geothermal Energy' or 'FORGE' site to develop, test, and enhance techniques and tools for enhanced geothermal energy.

''(1) DUTIES.—The Secretary shall—

''(A) award grants in support of research and development projects focused on advanced monitoring technologies, new technologies and approaches for implementing multi-zone stimulations, nonstimulation techniques, and dynamic reservoir modeling that incorporates all available high-fidelity characterization data; and

''(B) seek opportunities to coordinate efforts and share information with domestic and international partners engaged in research and development of geothermal systems and related technology, including coordination between FORGE sites.

''(2) SITE SELECTION.—Of the FORGE sites referred to in paragraph (1), the Secretary shall—

''(A) consider applications through a competitive, merit-reviewed process, from National Laboratories, multi-institutional collaborations, institutes of higher education and other appropriate entities best suited to provide national leadership on geothermal related issues and perform the duties enumerated under this subsection; and

''(B) prioritize existing field sites and facilities with capabilities relevant to the duties enumerated under this subsection.

''(3) EXISTING FORGE SITES.—A FORGE site already in existence on the date of enactment of this Act may continue to receive support.

''(4) FUNDING.—Out of funds authorized to be appropriated under section 623, there shall be made available to the Secretary to carry out the FORGE activities under this paragraph—

''(A) $45,000,000 for fiscal year 2021;

''(B) $55,000,000 for fiscal year 2022;

''(C) $65,000,000 for fiscal year 2023;

''(D) $70,000,000 for fiscal year 2024; and

''(E) $70,000,000 for fiscal year 2025.

In carrying out this section, the Secretary shall consider the balance between funds dedicated to construction and operations and research activities to reflect the state of site development.

''(d) ENHANCED GEOTHERMAL SYSTEMS DEMONSTRATIONS.—

''(1) IN GENERAL.—Beginning on the date of enactment of this section, the Secretary, in collaboration with industry partners, institutions of higher education, and the national laboratories, shall support an initiative for demonstration of enhanced geothermal systems for power production or direct use.

''(2) PROJECTS.—

''(A) IN GENERAL.—Under the initiative described in paragraph (1), demonstration projects shall be carried out in locations that are commercially viable for enhanced geothermal systems development, while also considering environmental impacts to the maximum extent practicable, as determined by the Secretary.

''(B) REQUIREMENTS.—Demonstration projects under subparagraph (A) shall—

''(i) collectively demonstrate—

''(I) different geologic settings, such as hot sedimentary aquifers, layered geologic systems, supercritical systems, and basement rock systems; and

''(II) a variety of development techniques, including open hole and cased hole completions, differing well orientations, and stimulation and nonstimulation mechanisms; and

''(ii) to the extent practicable, use existing sites where subsurface characterization or geothermal energy integration analysis has been conducted.

''(C) EASTERN DEMONSTRATION.—Not fewer than 1 of the demonstration projects carried out under subparagraph (A) shall be located an area east of the Mississippi that is suitable for enhanced geothermal demonstration for power, heat, or a combination of power and heat.''.

SEC. 2545. GEOTHERMAL HEAT PUMPS AND DIRECT USE.

(a) IN GENERAL.—Title VI of the Energy Independence and Security Act of 2007 is amended by inserting after section 616 (42 U.S.C. 17195) the following:

''SEC. 616A. GEOTHERMAL HEAT PUMPS AND DIRECT USE RESEARCH AND DEVELOPMENT.

''(a) PURPOSES.—The purposes of this section are—

''(1) to improve the understanding of related earth sciences, components, processes, and systems used for geothermal heat pumps and the direct use of geothermal energy; and

''(2) to increase the energy efficiency, lower the cost, increase the use, and improve and demonstrate the effectiveness of geothermal heat pumps and the direct use of geothermal energy.

''(b) DEFINITIONS.—In this section:

''(1) DIRECT USE OF GEOTHERMAL ENERGY.—The term 'direct use of geothermal energy' means geothermal systems that use water directly or through a heat exchanger to provide—

''(A) heating and cooling to buildings, commercial districts, residential communities, and large municipal, or industrial projects; or

''(B) heat required for industrial processes, agriculture, aquaculture, and other facilities.

''(2) ECONOMICALLY DISTRESSED AREA.—The term 'economically distressed area' means an area described in section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)).

''(3) GEOTHERMAL HEAT PUMP.—The term 'geothermal heat pump' means a system that provides heating and cooling by exchanging heat from shallow geology, groundwater, or surface water using—

''(A) a closed loop system, which transfers heat by way of buried or immersed pipes that contain a mix of water and working fluid; or

''(B) an open loop system, which circulates ground or surface water directly into the building and returns the water to the same aquifer or surface water source.

''(c) PROGRAM.—

''(1) IN GENERAL.—The Secretary shall support within the Geothermal Technologies Office a program of research, development, and demonstration for geothermal heat pumps and the direct use of geothermal energy.

''(2) AREAS.—The program under paragraph (1) may include research, development, demonstration, and commercial application of—

''(A) geothermal ground loop efficiency improvements, cost reductions, and improved installation and operations methods;

''(B) the use of geothermal energy for building-scale energy storage;

''(C) the use of geothermal energy as a grid management resource or seasonal energy storage;

''(D) geothermal heat pump efficiency improvements;

''(E) the use of alternative fluids as a heat exchange medium, such as hot water found in mines and mine shafts, graywater, or other fluids that may improve the economics of geothermal heat pumps;

''(F) heating of districts, neighborhoods, communities, large commercial or public buildings, and industrial and manufacturing facilities;

''(G) the use of low temperature groundwater for direct use; and

''(H) system integration of direct use with geothermal electricity production.

''(3) ENVIRONMENTAL IMPACTS.—In carrying out the program, the Secretary shall identify and mitigate potential environmental impacts in accordance with section 614(c).

''(d) GRANTS.—

''(1) IN GENERAL.—The Secretary shall carry out the program established in subsection (c) by making grants available to State, local, and Tribal governments, institutions of higher education, nonprofit entities, National Laboratories, utilities, and for-profit companies.

''(2) PRIORITY.—In making grants under this subsection, the Secretary may give priority to proposals that apply to large buildings, commercial districts, and residential communities that are located in economically distressed areas and areas that the Secretary determines to have high economic potential for geothermal district heating based on the report, 'Geovision: Harnessing the Heat Beneath our Feet' published by the Department in 2019, or a successor report.''.

(b) CONFORMING AMENDMENT.—Section 1(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 note) is amended in the table of contents by inserting after the item relating to section 616 the following:

''616A. Geothermal heat pumps and direct use research and development.''.

SEC. 2546. COST SHARING AND PROPOSAL EVALUATION.

Section 617(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17196) is amended by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

SEC. 2547. ADVANCED GEOTHERMAL COMPUTING AND DATA SCIENCE RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 618 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17197) is amended to read as follows:

''SEC. 618. ADVANCED GEOTHERMAL COMPUTING AND DATA SCIENCE RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Secretary shall carry out a program of research and development of advanced computing and data science tools for geothermal energy.

''(b) PROGRAMS.—The program authorized in subsection (a) shall include the following:

''(1) ADVANCED COMPUTING FOR GEOTHERMAL SYSTEMS TECHNOLOGIES.—Research, development, and demonstration of technologies to develop advanced data, machine learning, artificial intelligence, and related computing tools to assist in locating geothermal resources, to increase the reliability of site characterization, to increase the rate and efficiency of drilling, to improve induced seismicity mitigation, and to support enhanced geothermal systems technologies.

''(2) GEOTHERMAL SYSTEMS RESERVOIR MODELING.—Research, development, and demonstration of models of geothermal reservoir performance and enhanced geothermal systems reservoir stimulation technologies and techniques, with an emphasis on accurately modeling fluid and heat flow, permeability evolution, geomechanics, geochemistry, seismicity, and operational performance over time, including collaboration with industry and field validation.

''(c) COORDINATION.—In carrying out these programs, the Secretary shall ensure coordination and consultation with the Department of Energy's Office of Science. The Secretary shall ensure, to the maximum extent practicable, coordination of these activities with the Department of Energy National Laboratories, institutes of higher education, and the private sector.''.

(b) CONFORMING AMENDMENT.—Section 1(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 note) is amended in the table of contents by amending the item related to section 618 to read as follows:

''Sec. 618. Advanced geothermal computing and data science research and development.''.

SEC. 2548. GEOTHERMAL WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—Section 619 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17198) is amended to read as follows:

"SEC. 619. GEOTHERMAL WORKFORCE DEVELOPMENT.

''The Secretary shall support the development of a geothermal energy workforce through a program that—

''(1) facilitates collaboration between university students and researchers at the national laboratories; and

''(2) prioritizes science in areas relevant to the mission of the Department through the application of geothermal energy tools and technologies.''.

(b) CONFORMING AMENDMENT.—Section 1(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 note) is amended in the table of contents by amending the item related to section 619 to read as follows:

''Sec. 619. Geothermal workforce development.''.

SEC. 2549. ORGANIZATION AND ADMINISTRATION OF PROGRAMS.

Section 621 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17200) is amended to read as follows:

"SEC. 621. ORGANIZATION AND ADMINISTRATION OF PROGRAMS.

''(a) EDUCATION AND OUTREACH.—In carrying out the activities described in this subtitle, the Secretary shall support education and outreach activities to disseminate information on geothermal energy technologies and the geothermal energy workforce, including activities at the Frontier Observatory for Research in Geothermal Energy site or sites.

''(b) TECHNICAL ASSISTANCE.—In carrying out this subtitle, the Secretary shall also conduct technical assistance and analysis activities with eligible entities for the purpose of supporting the commercial application of advances in geothermal energy systems development and operations, which may include activities that support expanding access to advanced geothermal energy technologies for rural, Tribal, and low-income communities.

''(c) REPORT.—Every 5 years after the date of enactment of this section, the Secretary shall report to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on advanced concepts and technologies to maximize the geothermal resource potential of the United States.

''(d) PROGRESS REPORTS.—Not later than 1 year after the date of enactment of this section, and every 2 years thereafter, the Secretary shall submit to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of projects undertaken under this part and other such information the Secretary considers appropriate.''.

SEC. 2550. REPEALS.

(a) IN GENERAL.—Subtitle B of title VI of the Energy Independence and Security Act of 2007 (42 U.S.C. 17191 et seq.) is amended by striking section 620.

(b) CONFORMING AMENDMENT.—Section 1(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 note) is amended in the table of contents by striking the item related to section 620.

SEC. 2551. AUTHORIZATION OF APPROPRIATIONS.

Section 623 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17202) is amended to read as follows:

"SEC. 623. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Secretary to carry out the programs under this subtitle—

''(1) $121,375,000 for fiscal year 2021;

''(2) $132,750,000 for fiscal year 2022;

''(3) $144,125,000 for fiscal year 2023;

''(4) $150,500,000 for fiscal year 2024; and

''(5) $151,875,000 for fiscal year 2025.''.

SEC. 2552. INTERNATIONAL GEOTHERMAL ENERGY DEVELOPMENT.

Section 624 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17203) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary of Energy, in coordination with other appropriate Federal and multilateral agencies (including the United States Agency for International Development) shall support collaborative efforts with international partners to promote the research, development, and demonstration of geothermal technologies used to develop hydrothermal and enhanced geothermal system resources.''; and

(2) by striking subsection (c).

SEC. 2553. REAUTHORIZATION OF HIGH COST REGION GEOTHERMAL ENERGY GRANT PROGRAM.

Section 625 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17204) is amended—

(1) in subsection (a)(2), by inserting '' or heat'' after ''electrical power''; and

(2) by amending subsection (e) to read as follows:

''(e) AUTHORIZATION OF APPROPRIATIONS.—Out of funds authorized under section 623, there is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2021 through 2025.''.

PART 4—WATER POWER RESEARCH AND DEVELOPMENT

SEC. 2561. WATER POWER RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Subtitle C of title VI of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211 et seq.) is amended to read as follows:

"Subtitle C—Water Power Research and Development

"SEC. 632. DEFINITIONS.

''In this subtitle:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means any of the following entities:

''(A) An institution of higher education.

''(B) A National Laboratory.

''(C) A Federal research agency.

''(D) A State research agency.

''(E) A nonprofit research organization.

''(F) An industrial entity or a multi-institutional consortium thereof.

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(3) MARINE ENERGY.—The term 'marine energy' means energy from—

''(A) waves, tides, and currents in oceans, estuaries, and tidal areas;

''(B) free flowing water in rivers, lakes, streams, and man-made channels;

''(C) differentials in salinity and pressure gradients; and

''(D) differentials in water temperature, including ocean thermal energy conversion.

''(4) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given such term in section 2(3) of the Energy Policy Act of 2005 (42 U.S.C. 15801(3)).

''(5) WATER POWER.—The term 'water power' refers to hydropower, including conduit power, pumped storage, and marine energy technologies.

''(6) MICROGRID.—The term 'microgrid' has the meaning given such term in section 641 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17231).

"SEC. 633. WATER POWER TECHNOLOGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

''The Secretary shall carry out a program to conduct research, development, demonstration, and commercial application of water power technologies in support of each of the following purposes:

''(1) To promote research, development, demonstration, and commercial application of water power generation technologies in order to increase capacity and reduce the cost of those technologies.

''(2) To promote research and development to improve the environmental impact of water power technologies.

''(3) To provide grid reliability and resilience, including through technologies that facilitate new market opportunities, such as ancillary services, for water power.

''(4) To promote the development of water power technologies to improve economic growth and enhance cross-institutional foundational workforce development in the water power sector, including in coastal communities.

"SEC. 634. HYDROPOWER RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

''The Secretary shall conduct a program of research, development, demonstration, and commercial application for technologies that improve the capacity, efficiency, resilience, security, reliability, affordability, and environmental impact, including potential cumulative environmental impacts, of hydropower systems. In carrying out such program, the Secretary shall prioritize activities designed to—

''(1) develop technology for—

''(A) non-powered dams, including aging and potentially hazardous dams;

''(B) pumped storage;

''(C) constructed waterways;

''(D) new stream-reach development;

''(E) modular and small dams;

''(F) increased operational flexibility; and

''(G) enhancement of relevant existing facilities;

''(2) develop new strategies and technologies, including analytical methods, physical and numerical tools, and advanced computing, as well as methods to validate such methods and tools, in order to—

''(A) extend the operational lifetime of hydropower systems and their physical structures, while improving environmental impact, including potential cumulative environmental impacts;

''(B) assist in device and system design, installation, operation, and maintenance; and

''(C) reduce costs, limit outages, and increase unit and plant efficiencies, including by examining the impact of changing water and electricity demand on hydropower generation, flexibility, and provision of grid services;

''(3) study, in conjunction with other relevant Federal agencies as appropriate, methods to improve the hydropower licensing process, including by compiling current and accepted best practices, public comments, and methodologies to assess the full range of potential environmental and economic impacts;

''(4) identify opportunities for joint research, development, and demonstration programs between hydropower systems, which may include—

''(A) pumped storage systems and other renewable energy systems;

''(B) small hydro facilities and other energy storage systems;

''(C) other hybrid energy systems;

''(D) small hydro facilities and critical infrastructure, including water infrastructure; and

''(E) hydro facilities and responsive load technologies, which may include smart buildings and city systems;

''(5) improve the reliability of hydropower technologies, including during extreme weather events;

''(6) develop methods and technologies to improve environmental impact, including potential cumulative environmental impacts, of hydropower and pumped storage technologies, including potential impacts on wildlife, such as—

''(A) fisheries;

''(B) aquatic life and resources;

''(C) navigation of waterways; and

''(D) upstream and downstream environmental conditions, including sediment movement, water quality, and flow volumes;

''(7) identify ways to increase power generation by—

''(A) diversifying plant configuration options;

''(B) improving pump-back efficiencies;

''(C) investigating multi-phase systems;

''(D) developing, testing, and monitoring advanced generators with faster cycling times, variable speeds, and improved efficiencies;

''(E) developing, testing, and monitoring advanced turbines capable of improving environmental impact, including potential cumulative environmental impacts, including small turbine designs;

''(F) developing standardized powertrain components;

''(G) developing components with advanced materials and manufacturing processes, including additive manufacturing; and

''(H) developing analytical tools that enable hydropower to provide grid services that, amongst other services, improve grid integration of other energy sources;

''(8) advance new pumped storage technologies, including—

''(A) systems with adjustable speed and other new pumping and generating equipment designs;

''(B) modular systems;

''(C) alternative closed-loop systems, including mines and quarries; and

''(D) other innovative equipment and materials as determined by the Secretary;

''(9) reduce civil works costs and construction times for hydropower and pumped storage systems, including comprehensive data and systems analysis of hydropower and pumped storage construction technologies and processes in order to identify areas for whole-system efficiency gains;

''(10) advance efficient and reliable integration of hydropower and pumped storage systems with the electric grid by—

''(A) improving methods for operational forecasting of renewable energy systems to identify opportunities for hydropower applications in pumped storage and hybrid energy systems, including forecasting of seasonal and annual energy storage;

''(B) considering aggregating small distributed hydropower assets; and

''(C) identifying barriers to grid scale implementation of hydropower and pumped storage technologies;

''(11) improve computational fluid dynamic modeling methods;

''(12) improve flow measurement methods, including maintenance of continuous flow measurement equipment;

''(13) identify best methods for compiling data on all hydropower resources and assets, including identifying potential for increased capacity; and

''(14) identify mechanisms to test and validate performance of hydropower and pumped storage technologies.

''SEC. 635. MARINE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

''(a) IN GENERAL.—The Secretary, in consultation with the Department of Defense, Secretary of Commerce (acting through the Under Secretary of Commerce for Oceans and Atmosphere) and other relevant Federal agencies, shall conduct a program of research, development, demonstration, and commercial application of marine energy technology, including activities to—

''(1) assist technology development to improve the components, processes, and systems used for power generation from marine energy resources at a variety of scales;

''(2) establish and expand critical testing infrastructure and facilities necessary to—

''(A) demonstrate and prove marine energy devices at a range of scales in a manner that is cost-effective and efficient; and

''(B) accelerate the technological readiness and commercial application of such devices;

''(3) address marine energy resource variability issues, including through the application of energy storage technologies;

''(4) advance efficient and reliable integration of marine energy with the electric grid, which may include smart building systems;

''(5) identify and study critical short-term and long-term needs to maintaining a sustainable marine energy supply chain based in the United States;

''(6) increase the reliability, security, and resilience of marine energy technologies;

''(7) validate the performance, reliability, maintainability, and cost of marine energy device designs and system components in an operating environment;

''(8) consider the protection of critical infrastructure, such as adequate separation between marine energy devices and submarine telecommunications cables, including through the development of voluntary, consensus-based standards for such purposes;

''(9) identify opportunities for crosscutting research, development, and demonstration programs between existing energy research programs;

''(10) identify and improve, in conjunction with the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, and other relevant Federal agencies as appropriate, the environmental impact, including potential cumulative environmental impacts, of marine energy technologies, including—

''(A) potential impacts on fisheries and other marine resources; and

''(B) developing technologies, including mechanisms for self-evaluation, and other means available for improving environmental impact, including potential cumulative environmental impacts;

''(11) identify, in consultation with relevant Federal agencies, potential navigational impacts of marine energy technologies and strategies to prevent possible adverse impacts, in addition to opportunities for marine energy systems to aid the United States Coast Guard, such as remote sensing for coastal border security;

''(12) develop numerical and physical tools, including models and monitoring technologies, to assist industry in device and system design, installation, operation, and maintenance, including methods to validate such tools;

''(13) support materials science as it relates to marine energy technology, such as the development of corrosive-resistant materials;

''(14) improve marine energy resource forecasting and general understanding of aquatic system behavior, including turbulence and extreme conditions;

''(15) develop metrics and voluntary, consensus-based standards, in coordination with the National Institute of Standards and Technology and appropriate standard development organizations, for marine energy components, systems, and projects, including—

''(A) measuring performance of marine energy technologies; and

''(B) characterizing environmental conditions;

''(16) enhance integration with hybrid energy systems, including desalination;

''(17) identify opportunities to integrate marine energy technologies into new and existing infrastructure; and

''(18) to develop technology necessary to support the use of marine energy—

''(A) for the generation and storage of power at sea; and

''(B) for the generation and storage of power to promote the resilience of coastal communities, including in applications relating to—

''(i) desalination;

''(ii) disaster recovery and resilience; and

''(iii) community microgrids in isolated power systems.

''(b) STUDY OF NON-POWER SECTOR APPLICATIONS FOR ADVANCED MARINE ENERGY TECHNOLOGIES.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Transportation and the Secretary of Commerce, shall conduct a study to examine opportunities for research and development in advanced marine energy technologies for non-power sector applications, including applications with respect to—

''(A) the maritime transportation sector;

''(B) associated maritime energy infrastructure, including infrastructure that serves ports, to improve system resilience and disaster recovery; and

''(C) enabling scientific missions at sea and in extreme environments, including the Arctic.

''(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that describes the results of the study conducted under paragraph (1).

''SEC. 636. NATIONAL MARINE ENERGY CENTERS.

''(a) IN GENERAL.—The Secretary shall award grants, each such grant up to $10,000,000 per year, to institutions of higher education (or consortia thereof) for—

''(1) the continuation and expansion of the research, development, demonstration, testing, and commercial application activities at the National Marine Energy Centers (referred to in this section as 'Centers') established as of January 1, 2020; and

''(2) the establishment of new National Marine Energy Centers.

''(b) LOCATION SELECTION.—In selecting institutions of higher education for new Centers, the Secretary shall consider the following criteria:

''(1) Whether the institution hosts an existing marine energy research and development program.

''(2) Whether the institution has proven technical expertise to support marine energy research.

''(3) Whether the institution has access to marine resources.

''(c) PURPOSES.—The Centers shall coordinate among themselves, the Department, and National Laboratories to—

''(1) advance research, development, demonstration, and commercial application of marine energy technologies in response to industry and commercial needs;

''(2) support in-water testing and demonstration of marine energy technologies, including facilities capable of testing—

''(A) marine energy systems of various technology readiness levels and scales;

''(B) a variety of technologies in multiple test berths at a single location;

''(C) arrays of technology devices; and

''(D) interconnectivity to an electrical grid, including microgrids; and

''(3) collect and disseminate information on best practices in all areas relating to developing and managing marine energy resources and energy systems.

''(d) COORDINATION.—To the extent practicable, the Centers shall coordinate their activities with the Secretary of Commerce, acting through the Undersecretary of Commerce for Oceans and Atmosphere, and other relevant Federal agencies.

''(e) TERMINATION.—To the extent otherwise authorized by law, the Secretary may terminate funding for a Center described in paragraph (a) if such Center is under-performing.

''SEC. 637. ORGANIZATION AND ADMINISTRATION OF PROGRAMS.

''(a) COORDINATION.—In carrying out this subtitle, the Secretary shall coordinate activities, and effectively manage cross-cutting research priorities across programs of the Department and other relevant Federal agencies, including the National Laboratories and the National Marine Energy Centers.

''(b) COLLABORATION.—

''(1) IN GENERAL.—In carrying out this subtitle, the Secretary shall collaborate with industry, National Laboratories, other relevant Federal agencies, institutions of higher education, including Minority Serving Institutions, National Marine Energy Centers, Tribal entities, including Alaska Native Corporations, and international bodies with relevant scientific and technical expertise.

''(2) PARTICIPATION.—To the extent practicable, the Secretary shall encourage research projects that promote collaboration between entities specified in paragraph (1) and include entities not historically associated with National Marine Energy Centers, such as Minority Serving Institutions.

''(3) INTERNATIONAL COLLABORATION.—The Secretary of Energy, in coordination with other appropriate Federal and multilateral agencies (including the United States Agency for International Development) shall support collaborative efforts with international partners to promote the research, development, and demonstration of water power technologies used to develop hydropower, pump storage, and marine energy resources.

''(c) DISSEMINATION OF RESULTS AND PUBLIC AVAILABILITY.—The Secretary shall—

''(1) publish the results of projects supported under this subtitle through Department websites, reports, databases, training materials, and industry conferences, including information discovered after the completion of such projects, withholding any industrial proprietary information; and

''(2) share results of such projects with the public except to the extent that the information is protected from disclosure under section 552(b) of title 5, United States Code.

''(d) AWARD FREQUENCY.—The Secretary shall solicit applications for awards under this subtitle no less frequently than once per fiscal year.

''(e) EDUCATION AND OUTREACH.—In carrying out the activities described in this subtitle, the Secretary shall support education and outreach activities to disseminate information and promote public understanding of water power technologies and the water power workforce, including activities at the National Marine Energy Centers.

''(f) TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.—In carrying out this subtitle, the Secretary may also conduct, for purposes of supporting technical, non-hardware, and information-based advances in water power systems development and operations—

''(1) technical assistance and analysis activities with eligible entities, including activities that support expanding access to advanced water power technologies for rural, Tribal, and low-income communities; and

''(2) workforce development and training activities, including to support the dissemination of standards and best practices for enabling water power production.

''(g) STRATEGIC PLAN.—In carrying out the activities described in this subtitle, the Secretary shall—

''(1) not later than one year after the date of the enactment of the Clean Economy Jobs and Innovation Act, draft a plan, considering input from relevant stakeholders such as industry and academia, to implement the programs described in this subtitle and update the plan on an annual basis; and

''(2) the plan shall address near-term (up to 2 years), mid-term (up to 7 years), and long-term (up to 15 years) challenges to the advancement of water power systems.

''(h) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Clean Economy Jobs and Innovation Act, and at least once every 2 years thereafter, the Secretary shall provide, and make available to the public and the relevant authorizing and appropriations committees of Congress, a report on the findings of research conducted and activities carried out pursuant to this subtitle, including the most current strategic plan under subsection (g) and the progress made in implementing such plan.

''SEC. 638. APPLICABILITY OF OTHER LAWS.

''Nothing in this subtitle shall be construed as waiving, modifying, or superseding the applicability of any requirement under any environmental or other Federal or State law.

''SEC. 639. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Secretary to carry out this subtitle—

''(1) $152,750,000 for fiscal year 2021, including $112,580,000 for marine energy and $40,170,000 for hydropower research, development, and demonstration activities;

''(2) $157,678,300 for fiscal year 2022, including $116,303,200 for marine energy and $41,375,100 for hydropower research, development, and demonstration activities;

''(3) $162,791,915 for fiscal year 2023, including $120,175,562 for marine energy and $42,616,353 for hydropower research, development, and demonstration activities;

''(4) $168,098,139 for fiscal year 2024, including $124,203,295 for marine energy and $43,894,844 for hydropower research, development, and demonstration activities; and

''(5) $173,604,558 for fiscal year 2025, including $128,392,869 for marine energy and $45,211,689 for hydropower research, development, and demonstration activities.''.

(b) CONFORMING TABLE OF CONTENTS AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 is amended by striking the items relating to subtitle C of title VI and inserting the following:

''Subtitle C—Water Power Research and Development

''Sec. 632. Definitions.
''Sec. 633. Water power technology research, development, and demonstration.
''Sec. 634. Hydropower research, development, and demonstration.
''Sec. 635. Marine energy research, development, and demonstration.
''Sec. 636. National Marine Energy Centers.
''Sec. 637. Organization and administration of programs.
''Sec. 638. Applicability of other laws.
''Sec. 639. Authorization of appropriations.''.

SEC. 2562. CONFORMING AMENDMENTS.

(a) ENERGY POLICY ACT OF 2005.—The Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.) is amended—

(1) in section 201(a), by striking ''ocean (including tidal, wave, current, and thermal)'' and inserting ''marine'';

(2) in section 203(b)(2), by—

(A) inserting ''marine energy (as defined in section 632 of the Energy Independence and Security Act of 2007) or'' before ''electric energy''; and

(B) by striking ''ocean (including tidal, wave, current, and thermal)'';

(3) in section 931(a)(2)(E)(i), by striking ''ocean energy, including wave energy'' and inserting ''marine energy (as defined in section 632 of the Energy Independence and Security Act of 2007)''; and

(4) in section 1833(a), by striking ''ocean energy resources (including tidal, wave, and thermal energy)'' and inserting ''marine energy resources (within the meaning of section 632 of the Energy Independence and Security Act of 2007)''.

(b) ENERGY POLICY ACT OF 1992.—Section 1212 of the Energy Policy Act of 1992 (42 U.S.C. 13317) is amended—

(1) in subsection (a)(4)(A)(i), by striking ''ocean (including tidal, wave, current, and thermal)'' and inserting ''marine energy (as defined in section 632 of the Energy Independence and Security Act of 2007)'';

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''ocean (including tidal, wave, current, and thermal)'' and inserting ''marine energy (as defined in section 632 of the Energy Independence and Security Act of 2007)''; and

(3) in subsection (e)(1), in the first sentence, by striking ''ocean (including tidal, wave, current, and thermal)'' and inserting ''marine energy (as defined in section 632 of the Energy Independence and Security Act of 2007)''.

(c) RENEWABLE ENERGY AND ENERGY EFFICIENCY TECHNOLOGY COMPETITIVENESS ACT OF 1989.—The Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989 (42 U.S.C. 12001 et seq.) is amended—

(1) in section 4 (42 U.S.C. 12003)—

(A) in subsection (a)(5), by striking ''Ocean'' and inserting ''Marine''; and

(B) in subsection (c), in the matter preceding paragraph (1), by striking ''Ocean'' and inserting ''Marine''; and

(2) in section 9(c) (42 U.S.C. 12006(c)), by striking ''ocean,'' and inserting ''marine,''.

Subtitle F—Public Lands Renewable Energy Development

SEC. 2601. DEFINITIONS.

In this subtitle:

(1) COVERED LAND.—The term ''covered land'' means land that is—

(A) public lands administered by the Secretary; and

(B) not excluded from the development of geothermal, solar, or wind energy under—

(i) a land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(ii) other Federal law.

(2) EXCLUSION AREA.—The term ''exclusion area'' means covered land that is identified by the Bureau of Land Management as not suitable for development of renewable energy projects.

(3) FEDERAL LAND.—The term ''Federal land'' means public lands.

(4) FUND.—The term ''Fund'' means the Renewable Energy Resource Conservation Fund established by section 2608(c)(1).

(5) PRIORITY AREA.—The term ''priority area'' means covered land identified by the land use planning process of the Bureau of Land Management as being a preferred location for a renewable energy project, including a designated leasing area (as defined in section 2801.5(b) of title 43, Code of Federal Regulations (or a successor regulation)) that is identified under the rule of the Bureau of Land Management entitled ''Competitive Processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development and Technical Changes and Corrections'' (81 Fed. Reg. 92122 (December 19, 2016)) (or a successor regulation).

(6) PUBLIC LANDS.—The term ''public lands'' has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(7) RENEWABLE ENERGY PROJECT.—The term ''renewable energy project'' means a project carried out on covered land that uses wind, solar, or geothermal energy to generate energy.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) VARIANCE AREA.—The term ''variance area'' means covered land that is—

(A) not an exclusion area;

(B) not a priority area; and

(C) identified by the Secretary as potentially available for renewable energy development and could be approved without a plan amendment, consistent with the principles of multiple use (as that term is defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.)).

SEC. 2602. LAND USE PLANNING; SUPPLEMENTS TO PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENTS.

(a) PRIORITY AREAS.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy, shall establish priority areas on covered land for geothermal, solar, and wind energy projects.

Projects located in those priority areas shall be given the highest priority for review, and shall be offered the opportunity to participate in any regional mitigation plan developed for the relevant priority areas.

(2) DEADLINE.—

(A) GEOTHERMAL ENERGY.—For geothermal energy, the Secretary shall establish priority areas as soon as practicable, but not later than 5 years, after the date of the enactment of this Act.

(B) SOLAR ENERGY.—For solar energy, solar Designated Leasing Areas, including the solar energy zones established by the 2012 western solar plan of the Bureau of Land Management and any subsequent land use plan amendments, shall be considered to be priority areas for solar energy projects. The Secretary shall establish additional solar priority areas as soon as practicable, but not later than 3 years, after the date of the enactment of this Act.

(C) WIND ENERGY.—For wind energy, the Secretary shall establish additional wind priority areas as soon as practicable, but not later than 3 years, after the date of the enactment of this Act.

(b) VARIANCE AREAS.—To the maximum extent practicable, variance areas shall be considered for renewable energy project development, consistent with the principles of multiple use (as defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.)).

(c) REVIEW AND MODIFICATION.—Not less than once every 5 years, the Secretary shall—

(1) review the adequacy of land allocations for geothermal, solar, and wind energy priority and variance areas for the purpose of encouraging new renewable energy development opportunities; and

(2) based on the review carried out under paragraph (1), add, modify, or eliminate priority, variance, and exclusion areas.

(d) COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT.—For purposes of this section, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be accomplished—

(1) for geothermal energy, by supplementing the October 2008 final programmatic environmental impact statement for geothermal leasing in the Western United States and incorporating any additional regional analyses that have been completed by Federal agencies since the programmatic environmental impact statement was finalized;

(2) for solar energy, by supplementing the July 2012 final programmatic environmental impact statement for solar energy development and incorporating any additional regional analyses that have been completed by Federal agencies since the programmatic environmental impact statement was finalized; and

(3) for wind energy, by supplementing the July 2005 final programmatic environmental impact statement for wind energy development and incorporating any additional regional analyses that have been completed by Federal agencies since the programmatic environmental impact statement was finalized.

(e) NO EFFECT ON PROCESSING APPLICATIONS.—Any requirements to prepare a supplement to a programmatic environmental impact statement under this section shall not result in any delay in processing a pending application for a renewable energy project.

(f) COORDINATION.—In developing a supplement required by this section, the Secretary shall coordinate, on an ongoing basis, with appropriate State, Tribal, and local governments, transmission infrastructure owners and operators, developers, and other appropriate entities to ensure that priority areas identified by the Secretary are—

(1) economically viable (including having access to existing and/or planned transmission lines);

(2) likely to avoid or minimize impacts to habitat for animals and plants, recreation, cultural resources, and other uses of covered land; and

(3) consistent with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), including subsection (c)(9) of that section (43 U.S.C. 1712(c)(9)).

SEC. 2603. ENVIRONMENTAL REVIEW ON COVERED LAND.

(a) IN GENERAL.—If the Secretary determines that a proposed renewable energy project has been sufficiently analyzed by a programmatic environmental impact statement conducted under section 2602(d), the Secretary shall not require any additional review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). The Secretary shall publish any such project determinations on a publicly available website.

(b) ADDITIONAL ENVIRONMENTAL REVIEW.—If the Secretary determines that additional environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is necessary for a proposed renewable energy project, the Secretary shall rely on the analysis in the programmatic environmental impact statement conducted under section 2602(d), to the maximum extent practicable when analyzing the potential impacts of the project.

(c) RELATIONSHIP TO OTHER LAW.—Nothing in this section modifies or supersedes any requirement under applicable law.

SEC. 2604. PROGRAM TO IMPROVE RENEWABLE ENERGY PROJECT PERMIT COORDINATION.

(a) ESTABLISHMENT.—The Secretary shall establish a national Renewable Energy Coordination Office and State, district, or field offices with responsibility to establish and implement a program to improve Federal permit coordination with respect to renewable energy projects on covered land and other activities deemed necessary by the Secretary. In carrying out the program, the Secretary may temporarily assign qualified staff to Renewable Energy Coordination Offices to expedite the permitting of renewable energy projects.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section, including to specifically expedite the environmental analysis of applications for projects proposed in a variance area or a priority area, with the Secretary of Defense.

(2) STATE AND TRIBAL PARTICIPATION.—The Secretary may request the Governor of any interested State or any Tribal leader of any interested Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) to be a signatory to the memorandum of understanding under paragraph (1).

(c) DESIGNATION OF QUALIFIED STAFF.—

(1) IN GENERAL.—Not later than 30 days after the date on which the memorandum of understanding under subsection (b) is executed, all Federal signatories, as appropriate, shall identify for each of the Bureau of Land Management Renewable Energy Coordination Offices one or more employees who have expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) consultation regarding, and preparation of, biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(G) implementation of the requirements of section 306108 of title 54, United States Code (formerly known as section 106 of the National Historic Preservation Act);

(H) the Bald and Golden Eagle Protection Act (16 U.S.C. 668 through 668d); and

(I) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753 and 102101 of title 54 , United States Code (previously known as the ''National Park Service Organic Act'').

(2) DUTIES.—Each employee assigned under paragraph (1) shall—

(A) be responsible for addressing all issues relating to the jurisdiction of the home office or agency of the employee; and

(B) participate as part of the team of personnel working on proposed energy projects, planning, monitoring, inspection, enforcement, and environmental analyses.

(d) ADDITIONAL PERSONNEL.—The Secretary may assign such additional personnel for the Bureau of Land Management Renewable Energy Coordination Offices as are necessary to ensure the effective implementation of any programs administered by the offices in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) CLARIFICATION OF EXISTING AUTHORITY.—Under section 307 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737), the Bureau of Land Management may—

(1) accept donations for the purposes of public lands management; and

(2) accept donations from renewable energy companies working on public lands to help cover the costs of environmental reviews.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1 of the first fiscal year beginning after the date of the enactment of this Act, and each February 1 thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made under the program established under subsection (a) during the preceding year.

(2) INCLUSIONS.—Each report under this subsection shall include—

(A) projections for renewable energy production and capacity installations; and

(B) a description of any problems relating to leasing, permitting, siting, or production.

SEC. 2605. INCREASING ECONOMIC CERTAINTY.

(a) CONSIDERATIONS.—The Secretary is authorized to and shall consider acreage rental rates, capacity fees, and other recurring annual fees in total when evaluating existing rates paid for the use of Federal land by renewable energy projects.

(b) INCREASES IN BASE RENTAL RATES.—Once a base rental rate is established upon the issuance of a right-of-way authorization, increases in the base rent shall be limited to the Implicit Price Deflator–Gross Domestic Product (IPD–GDP) index for the entire term of the right-of-way authorization.

(c) REDUCTIONS IN BASE RENTAL RATES.—The Secretary is authorized to reduce acreage rental rates and capacity fees, or both, for existing and new wind and solar authorizations if the Secretary determines—

(1) that the existing rates—

(A) exceed fair market value;

(B) impose economic hardships;

(C) limit commercial interest in a competitive lease sale or right-of-way grant; or

(D) are not competitively priced compared to other available land; or

(2) that a reduced rental rate or capacity fee is necessary to promote the greatest use of wind and solar energy resources, especially those resources inside priority areas. Rental rates and capacity fees for projects that are within the boundaries of a Designated Leasing Area but not formally recognized as being in such an area shall be equivalent to rents and fees for new leases inside of a Designated Leasing Area.

SEC. 2606. RENEWABLE ENERGY GOAL.

The Secretary shall seek to issue permits that, in total, authorize production of not less than 25 gigawatts of electricity from wind, solar, and geothermal energy projects by not later than 2025, through management of public lands and administration of Federal laws.

SEC. 2607. FACILITATION OF COPRODUCTION OF GEOTHERMAL ENERGY ON OIL AND GAS LEASES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended by adding at the end the following:

''(4) LAND SUBJECT TO OIL AND GAS LEASE.—Land under an oil and gas lease issued pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) that is subject to an approved application for permit to drill and from which oil and gas production is occurring may be available for noncompetitive leasing under subsection (c) by the holder of the oil and gas lease—

''(A) on a determination that geothermal energy will be produced from a well producing or capable of producing oil and gas; and

''(B) in order to provide for the coproduction of geothermal energy with oil and gas.''.

SEC. 2608. NONCOMPETITIVE LEASING OF ADJOINING AREAS FOR DEVELOPMENT OF GEOTHERMAL RESOURCES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is further amended by adding at the end the following:

''(5) ADJOINING LAND.—

''(A) DEFINITIONS.—In this paragraph:

''(i) FAIR MARKET VALUE PER ACRE.—The term 'fair market value per acre' means a dollar amount per acre that—

''(I) except as provided in this clause, shall be equal to the market value per acre (taking into account the determination under subparagraph (B)(iii) regarding a valid discovery on the adjoining land) as determined by the Secretary under regulations issued under this paragraph;

''(II) shall be determined by the Secretary with respect to a lease under this paragraph, by not later than the end of the 180-day period beginning on the date the Secretary receives an application for the lease; and

''(III) shall be not less than the greater of—

''(aa) 4 times the median amount paid per acre for all land leased under this Act during the preceding year; or

''(bb) $50.

''(ii) INDUSTRY STANDARDS.—The term 'industry standards' means the standards by which a qualified geothermal professional assesses whether downhole or flowing temperature measurements with indications of permeability are sufficient to produce energy from geothermal resources, as determined through flow or injection testing or measurement of lost circulation while drilling.

''(iii) QUALIFIED FEDERAL LAND.—The term 'qualified Federal land' means land that is otherwise available for leasing under this Act.

''(iv) QUALIFIED GEOTHERMAL PROFESSIONAL.—The term 'qualified geothermal professional' means an individual who is an engineer or geoscientist in good professional standing with at least 5 years of experience in geothermal exploration, development, or project assessment.

''(v) QUALIFIED LESSEE.—The term 'qualified lessee' means a person who may hold a geothermal lease under this Act (including applicable regulations).

''(vi) VALID DISCOVERY.—The term 'valid discovery' means a discovery of a geothermal resource by a new or existing slim hole or production well, that exhibits downhole or flowing temperature measurements with indications of permeability that are sufficient to meet industry standards.

''(B) AUTHORITY.—An area of qualified Federal land that adjoins other land for which a qualified lessee holds a legal right to develop geothermal resources may be available for a noncompetitive lease under this section to the qualified lessee at the fair market value per acre, if—

''(i) the area of qualified Federal land—

''(I) consists of not less than 1 acre and not more than 640 acres; and

''(II) is not already leased under this Act or nominated to be leased under subsection (a);

''(ii) the qualified lessee has not previously received a noncompetitive lease under this paragraph in connection with the valid discovery for which data has been submitted under clause (iii)(I); and

''(iii) sufficient geological and other technical data prepared by a qualified geothermal professional has been submitted by the qualified lessee to the applicable Federal land management agency that would lead individuals who are experienced in the subject matter to believe that—

''(I) there is a valid discovery of geothermal resources on the land for which the qualified lessee holds the legal right to develop geothermal resources; and

''(II) that geothermal feature extends into the adjoining areas.

''(C) DETERMINATION OF FAIR MARKET VALUE.—

''(i) IN GENERAL.—The Secretary shall—

''(I) publish a notice of any request to lease land under this paragraph;

''(II) determine fair market value for purposes of this paragraph in accordance with procedures for making those determinations that are established by regulations issued by the Secretary;

''(III) provide to a qualified lessee and publish, with an opportunity for public comment for a period of 30 days, any proposed determination under this subparagraph of the fair market value of an area that the qualified lessee seeks to lease under this paragraph; and

''(IV) provide to the qualified lessee and any adversely affected party the opportunity to appeal the final determination of fair market value in an administrative proceeding before the applicable Federal land management agency, in accordance with applicable law (including regulations).

''(ii) LIMITATION ON NOMINATION.—After publication of a notice of request to lease land under this paragraph, the Secretary may not accept under subsection (a) any nomination of the land for leasing unless the request has been denied or withdrawn.

''(iii) ANNUAL RENTAL.—For purposes of section 5(a)(3), a lease awarded under this paragraph shall be considered a lease awarded in a competitive lease sale.

''(D) REGULATIONS.—Not later than 270 days after the date of the enactment of this paragraph, the Secretary shall issue regulations to carry out this paragraph.''.

SEC. 2609. SAVINGS CLAUSE.

Notwithstanding any other provision of this subtitle, the Secretary shall continue to manage public lands under the principles of multiple use and sustained yield in accordance with title I of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including due consideration of mineral and nonrenewable energy-related projects and other nonrenewable energy uses, for the purposes of land use planning, permit processing, and conducting environmental reviews.

TITLE III—CARBON POLLUTION REDUCTION TECHNOLOGIES

Subtitle A—Fossil Energy Research and Development

SEC. 3101. DEFINITIONS.

For purposes of this part:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 3102. FOSSIL ENERGY OBJECTIVES.

Section 961 of the Energy Policy Act of 2005 (42 U.S.C. 16291) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following:

''(2) Decreasing the cost of emissions control technologies for fossil energy production, generation, and delivery.'';

(B) by striking paragraph (7) and inserting the following:

''(7) Increasing the export of emissions control technologies from the United States for fossil energy-related equipment, technology, and services.''; and

(C) by adding at the end the following:

''(8) Improving the conversion, use, and storage of carbon oxides.

''(9) Lowering greenhouse gas emissions for all fossil fuel production, generation, delivery, and utilization, to the maximum extent possible.

''(10) Preventing, predicting, monitoring, and mitigating the unintended leaking of methane, carbon dioxide, or other fossil fuel-related emissions into the atmosphere.

''(11) Improving the separation and purification of helium from fossil fuel resources.

''(12) Reducing water use, improving water reuse, and minimizing the surface and subsurface environmental impact in the development of unconventional domestic oil and natural gas resources.

''(13) Developing carbon removal and utilization technologies, products, and methods that result in net reductions in greenhouse gas emissions, including direct air capture and storage and carbon use and reuse for commercial application.'';

(2) by striking subsections (c) through (e) and inserting the following:

''(c) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize technologies and strategies that have the potential to meet emissions reduction goals in the agreement of the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change.

''(d) LIMITATION.—None of the funds authorized under this section may be used for Fossil Energy Environmental Restoration or Import/Export Authorization.''.

SEC. 3103. CARBON CAPTURE TECHNOLOGIES.

(a) CARBON CAPTURE PROGRAM.—Section 962 of the Energy Policy Act of 2005 (42 U.S.C. 16292) is amended to read as follows:

''SEC. 962. CARBON CAPTURE TECHNOLOGIES.

''(a) IN GENERAL.—The Secretary shall conduct a program of research, development, demonstration, and commercial application of carbon capture technologies, which shall include facilitation of the development and use of—

''(1) carbon capture technologies for coal and natural gas;

''(2) innovations to significantly decrease emissions at existing power plants;

''(3) innovations to significantly decrease emissions in manufacturing and industrial applications; and

''(4) advanced separation technologies.

''(b) INVESTMENT.—As a part of the program under subsection (a), the Secretary shall maintain robust investments in carbon capture technologies for coal and natural gas applications.

''(c) LARGE-SCALE PILOTS.—In carrying out this section, the Secretary is encouraged to support pilot projects that test carbon capture technologies on coal and natural gas power and industrial systems below the 100 megawatt scale, consistent with section 988(b).

''(d) COST AND PERFORMANCE GOALS.—In carrying out the program under subsection (a), the Secretary shall establish cost and performance goals to assist in the transition of carbon capture research to commercially viable technologies.

''(e) CARBON CAPTURE PILOT TEST CENTERS.—

''(1) IN GENERAL.—As a part of the program under subsection (a), not later than 1 year after the date of the enactment of this section, the Secretary shall award grants to eligible entities

for the operation of not less than three Carbon Capture Test Centers (in this subsection, known as the 'Centers') to provide unique testing capabilities for innovative carbon capture technologies for power and industrial systems.

''(2) PURPOSE.—Each Center shall—

''(A) advance research, development, demonstration, and commercial application of carbon capture technologies for power and industrial systems; and

''(B) test technologies that represent the scale of technology development beyond laboratory testing, but not yet advanced to testing under operational conditions at commercial scale.

''(3) APPLICATION.—An entity seeking to operate a Center under this subsection shall submit to the Secretary an application at such time and in such manner as the Secretary may require.

''(4) PRIORITY CRITERIA.—In selecting applications to operate a Center under this subsection, the Secretary shall prioritize applicants that—

''(A) have access to existing or planned research facilities with modular technology capabilities;

''(B) are institutions of higher education with established expertise in engineering and design for carbon capture technologies, or partnerships with such institutions;

''(C) have access to existing research and test facilities for pre-combustion, post-combustion, or oxy-combustion technologies; or

''(D) have test capabilities to address scaling challenges of integrating carbon capture technologies with utility scale power plants.

''(5) CONSIDERATIONS.—In awarding grants for the operation of the Centers under this subsection, the Secretary shall ensure that—

''(A) the portfolio of Centers includes a diverse representation of regional and resource characteristics; and

''(B) each new Center demonstrates unique research capabilities, unique regional benefits, or new technology development opportunities.

''(6) SCHEDULE.—Each grant to operate a Center under this subsection shall be awarded for a term of not more than 5 years, subject to the availability of appropriations. The Secretary may renew such 5-year term without limit, subject to a rigorous merit review.

''(7) TERMINATION.—To the extent otherwise authorized by law, the Secretary may eliminate a Center during any 5-year term described in paragraph (6) if such Center is underperforming.

''(f) DEMONSTRATIONS.—

''(1) IN GENERAL.—As a part of the program under subsection (a), the Secretary may provide grants for large-scale demonstration projects for power and industrial systems that test the scale of technology necessary to gain the operational data needed to understand the technical and performance risks of the technology before the application of the technology at commercial scale, in accordance with this subsection.

''(2) ENGINEERING AND DESIGN STUDIES.—The Secretary is authorized to fund front-end engineering and design studies in addition to, or in advance of, issuing an award for a demonstration project under this subsection.

''(3) APPLICATION.—An entity seeking an award to conduct a demonstration project under this subsection shall submit to the Secretary an application at such time and in such manner as the Secretary may require.

''(4) LIMITATIONS.—The Secretary shall only provide an award under this subsection after reviewing each applicant and application regarding—

''(A) financial strength;

''(B) construction schedule;

''(C) market risk; and

''(D) contractor history.

''(5) REQUIREMENTS.—A demonstration project funded under this subsection shall—

''(A) utilize technologies that have completed pilot-scale testing or the equivalent, as determined by the Secretary;

''(B) secure and maintain agreements for the utilization or sequestration of captured carbon dioxide; and

''(C) upon completion, demonstrate carbon capture technologies on a power or industrial system capable of capturing not less than 100,000 tons of carbon dioxide annually.

''(g) DEFINITION OF POWER SYSTEM.—In this section, the term 'power system' means any electricity generating unit that utilizes fossil fuels to generate electricity provided to the electric grid or directly to a consumer.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for activities under subsections (a) through (f)—

''(1) $300,000,000 for fiscal year 2021;

''(2) $315,000,000 for fiscal year 2022;

''(3) $330,750,000 for fiscal year 2023;

''(4) $347,288,000 for fiscal year 2024; and

''(5) $364,652,000 for fiscal year 2025.

''(i) COMMERCIAL DEMONSTRATION.—

''(1) IN GENERAL.—The Secretary shall establish a carbon capture technology commercialization program to improve the efficiency, effectiveness, cost, and environmental performance of such technologies for power, industrial, transportation, and other commercial applications. Such program shall include funding for commercial carbon capture technology projects for up to five demonstrations of a particular technology type.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $1,500,000,000 for each of fiscal years 2021 through 2025.''.

(b) GAO STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of a study of the Department's successes, failures, practices, and improvements in carrying out demonstration projects for carbon capture technologies for power and industrial systems. In conducting the study, the Comptroller General shall consider—

(A) applicant and contractor qualifications;

(B) project management practices at the Department;

(C) economic or market changes and other factors impacting project viability;

(D) completion of third-party agreements, including power purchase agreements and carbon dioxide offtake agreements;

(E) regulatory challenges; and

(F) construction challenges.

(2) CONSIDERATION.—The Secretary shall consider any relevant recommendations, as determined by the Secretary, provided in the report required under paragraph (1), and shall adopt such recommendations as the Secretary considers appropriate.

(3) POWER SYSTEM DEFINED.—In this section, the term ''power system'' means any electricity generating unit that utilizes fossil fuels to generate electricity provided to the electric grid or directly to a consumer.

SEC. 3104. NATURAL GAS CARBON CAPTURE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

(a) IN GENERAL.—Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is amended by adding at the end the following:

''SEC. 969. NATURAL GAS CARBON CAPTURE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) NATURAL GAS.—The term 'natural gas' includes any fuel consisting in whole or in part of—

''(A) natural gas;

''(B) liquid petroleum gas;

''(C) synthetic gas derived from petroleum or natural gas liquids; or

''(D) any mixture of natural gas and synthetic gas.

''(2) QUALIFYING ELECTRIC GENERATION FACILITY.—The term 'qualifying electric generation facility' means a facility that generates electric energy through the use of natural gas or a facility that generates hydrogen from natural gas.

''(3) QUALIFYING TECHNOLOGY.—The term 'qualifying technology' means any technology to capture carbon dioxide produced during the generation of electricity from natural gas power systems or during the generation of hydrogen from natural gas.

''(b) ESTABLISHMENT OF RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a program under which the Secretary shall, through a competitive, merit-reviewed process, award grants to eligible entities to conduct research, development, and demonstration of qualifying technologies.

''(2) OBJECTIVES.—The objectives of the program established under paragraph (1) shall be—

''(A) to conduct research to accelerate the development of qualifying technologies to reduce the quantity of carbon dioxide emissions released from qualifying electric generation facilities, including—

''(i) pre- and post-combustion capture technologies; and

''(ii) technologies to improve the thermodynamics, kinetics, scalability, durability, and flexibility of carbon capture technologies for use during the generation of electricity from natural gas power systems;

''(B) to expedite and carry out demonstration projects (including pilot projects) for qualifying technologies in partnership with qualifying electric generation facilities in order to demonstrate the technical feasibility and economic potential for commercial deployment of technologies developed pursuant to subparagraph (A); and

''(C) to identify any barriers to the commercial deployment of any qualifying technologies under development pursuant to research conducted pursuant to subparagraph (A).

''(3) ELIGIBLE ENTITIES.— An entity eligible to receive a grant under this subsection is—

''(A) a National Laboratory;

''(B) an institution of higher education;

''(C) a research facility;

''(D) a multi-institutional collaboration; or

''(E) another appropriate entity or combination of any of the entities specified in subparagraphs (A) through (D).

''(c) CARBON CAPTURE FACILITIES DEMONSTRATION PROGRAM.—

''(1) ESTABLISHMENT.—As part of the program established under paragraph (1), the Secretary shall establish a demonstration program under which the Secretary shall, through a competitive, merit-reviewed process, enter into cooperative agreements with entities that submit applications pursuant to paragraph (4) for demonstration or pilot projects to construct and operate, by not later than September 30, 2025, up to five facilities to capture carbon dioxide from qualifying electric generation facilities. The Secretary shall, to the maximum extent practicable, provide technical assistance to any entity seeking to enter into such a cooperative agreement in obtaining any necessary permits and licenses to demonstrate qualifying technologies.

''(2) COOPERATIVE AGREEMENTS.—The Secretary may enter into a cooperative agreement under this subsection with industry stakeholders, including any such industry stakeholder operating in partnership with National Laboratories, institutions of higher education, multi-institutional collaborations, and other appropriate entities.

''(3) GOALS.—Each demonstration or pilot project carried out pursuant to the demonstration program under this subsection shall—

''(A) be designed to further the development of qualifying technologies that may be used by a qualifying electric generation facility;

''(B) be financed in part by the private sector;

''(C) if necessary, secure agreements for the offtake of carbon dioxide emissions captured by qualifying technologies during the project; and

''(D) support energy production in the United States.

''(4) REQUEST FOR APPLICATIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall solicit applications for cooperative agreements for projects—

''(A) to demonstrate qualifying technologies at up to five qualifying electric generation facilities; and

''(B) to construct and operate three or more facilities to capture carbon dioxide from a qualifying electric generation facility.

''(5) REVIEW OF APPLICATIONS.—In considering applications submitted under paragraph (4), the Secretary, to the maximum extent practicable, shall—

''(A) ensure a broad geographic distribution of project sites;

''(B) ensure that a broad selection of qualifying electric generation facilities are represented;

''(C) ensure that a broad selection of qualifying technologies are represented;

''(D) require information and knowledge gained by each participant in the demonstration program to be transferred and shared among all participants in the demonstration program; and

''(E) leverage existing—

''(i) public-private partnerships; and

''(ii) Federal resources.

''(d) COST SHARING.—In carrying out this section, the Secretary shall require cost sharing in accordance with section 988.

''(e) REPORT.—Not later than 180 days after the date on which the Secretary solicits applications under subsection (c)(3), and annually thereafter, the Secretary shall submit to the appropriate committees of jurisdiction of the Senate and the House of Representatives a report that includes—

''(1) a detailed description of how applications for cooperative agreements under subsection (b) will be solicited and evaluated, including—

''(A) a list of any activities carried out by the Secretary to solicit or evaluate applications; and

''(B) a process for ensuring that any projects carried out under a cooperative agreement are designed to result in the development or demonstration of qualifying technologies;

''(2)(A) in the case of the first report under this subsection, a detailed list of technical milestones for the development and demonstration of each qualifying technology pursued under subsection (b); and

''(B) in the case of each subsequent report under this subsection, the progress made towards achieving such technical milestones during the period covered by the report; and

''(3) with respect to the demonstration program established under subsection (c), includes—

''(A) an estimate of the cost of licensing, permitting, constructing, and operating each carbon capture facility expected to be constructed under that demonstration program;

''(B) a schedule for the planned construction and operation of each demonstration or pilot project; and

''(C) an estimate of any financial assistance, compensation, or incentives proposed to be paid by the host State, Indian Tribe, or local government with respect to each facility.

''(f) There are authorized to be appropriated to the Secretary to carry out this section $50,000,000, to remain available until expended, for each of fiscal years 2021 through 2025.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 600) is amended by inserting after the item relating to section 968 the following:

''Sec. 969. Natural gas carbon capture research, development, and demonstration program.''.

SEC. 3105. CARBON STORAGE VALIDATION AND TESTING.

Section 963 of the Energy Policy Act of 2005 (42 U.S.C. 16293) is amended to read as follows:

''SEC. 963. CARBON STORAGE VALIDATION AND TESTING.

''(a) CARBON STORAGE.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall carry out a program of research, development, and demonstration for carbon storage. The program shall—

''(1) in coordination with relevant Federal agencies, develop and maintain mapping tools and resources that assess the capacity of geologic storage formations in the United States;

''(2) develop monitoring tools, modeling of geologic formations, and analyses to predict and verify carbon dioxide containment and account for sequestered carbon dioxide in geologic storage sites;

''(3) research potential environmental, safety, and health impacts in the event of a leak to the atmosphere or to an aquifer, and any corresponding mitigation actions or responses to limit harmful consequences;

''(4) evaluate the interactions of carbon dioxide with formation solids and fluids, including the propensity of injections to induce seismic activity;

''(5) assess and ensure the safety of operations related to geologic sequestration of carbon dioxide;

''(6) determine the fate of carbon dioxide concurrent with and following injection into geologic formations;

''(7) support cost and business model assessments to examine the economic viability of technologies and systems developed under this program; and

''(8) provide information to State, local, and Tribal governments, the Environmental Protection Agency, and other appropriate entities, to support development of a regulatory framework for commercial-scale sequestration operations that ensure the protection of human health and the environment.

''(b) GEOLOGIC SETTINGS.—In carrying out research activities under this section, the Secretary shall consider a variety of candidate geologic settings, both onshore and offshore, including—

''(1) operating oil and gas fields;

''(2) depleted oil and gas fields;

''(3) residual oil zones;

''(4) unconventional reservoirs and rock types;

''(5) unmineable coal seams;

''(6) saline formations in both sedimentary and basaltic geologies;

''(7) geologic systems that may be used as engineered reservoirs to extract economical quantities of brine from geothermal resources of low permeability or porosity; and

''(8) geologic systems containing in situ carbon dioxide mineralization formations.

''(c) REGIONAL CARBON SEQUESTRATION PARTNERSHIPS.—

''(1) IN GENERAL.—The Secretary shall carry out large-scale carbon sequestration demonstrations for geologic containment of carbon dioxide to collect and validate information on the cost and feasibility of commercial deployment of technologies for the geologic containment of carbon dioxide. The Secretary may fund new demonstrations or expand the work completed at one or more of the existing regional carbon sequestration partnerships.

''(2) DEMONSTRATION COMPONENTS.—Each demonstration described in paragraph (1) shall include longitudinal tests involving carbon dioxide injection and monitoring, mitigation, and verification operations.

''(3) CLEARINGHOUSE.—The National Energy Technology Laboratory shall act as a clearinghouse of shared information and resources for the regional carbon sequestration partnerships and any new demonstrations funded under this section.

''(4) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

''(A) assesses the progress of all regional carbon sequestration partnerships;

''(B) identifies the remaining challenges in achieving carbon sequestration that is reliable and safe for the environment and public health; and

''(C) creates a roadmap for Department of Energy carbon storage research and development activities through 2030 with the goal of reducing economic and policy barriers to commercial carbon sequestration.

''(5) LARGE-SCALE CARBON SEQUESTRATION.—For purposes of this subsection, 'large-scale carbon sequestration' means a scale that demonstrates the ability to inject and sequester several million metric tons carbon dioxide for at least 10 years.

''(d) INTEGRATED STORAGE PROJECTS.—The Secretary may carry out a program for the purpose of transitioning the large-scale carbon sequestration demonstration projects under subsection (c) into integrated, commercial storage complexes. The program shall focus on—

''(1) qualifying geologic storage sites in order to accept large volumes of carbon dioxide acceptable for commercial contracts;

''(2) understanding the technical and commercial viability of storage sites;

''(3) developing the qualification processes that will be necessary for a diverse range of geologic storage sites to commercially accept carbon dioxide; and

''(4) any other activities the Secretary determines necessary to transition the large scale demonstration storage projects into commercial ventures.

''(e) COST SHARING.—The Secretary shall require cost sharing under this section in accordance with section 988.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for activities under this section—

''(1) $620,000,000 for fiscal year 2021;

''(2) $626,000,000 for fiscal year 2022;

''(3) $632,300,000 for fiscal year 2023;

''(4) $638,915,000 for fiscal year 2024; and

''(5) $645,860,750 for fiscal year 2025.''.

SEC. 3106. CARBON UTILIZATION.

(a) PROGRAM.—Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.), as amended by this Act, is amended by adding at the end the following:

''SEC. 970. CARBON UTILIZATION.

''(a) IN GENERAL.—The Secretary shall carry out a program of research, development, and demonstration for carbon utilization. The program shall—

''(1) assess and monitor potential changes in life cycle carbon dioxide and other greenhouse gas emissions, and other environmental safety indicators of new technologies, practices, processes, or methods, used in enhanced hydrocarbon recovery as part of the activities authorized in section 963 of the Energy Policy Act of 2005 (42 U.S.C. 16293);

''(2) identify and evaluate novel uses for carbon, including the conversion of carbon oxides, in a manner that, on a full life-cycle basis, achieves a permanent reduction in, or avoidance of a net increase in carbon dioxide in the atmosphere, for use in commercial and industrial products, such as—

''(A) chemicals;

''(B) plastics;

''(C) building materials;

''(D) fuels;

''(E) cement;

''(F) products of coal utilization in power systems (as such term is defined in section 962(e)), or other applications; or

''(G) other products with demonstrated market value;

''(3) carbon capture technologies for industrial systems;

''(4) identify and assess alternative uses for coal that result in no net emissions of carbon dioxide or other pollutants, including products derived from carbon engineering, carbon fiber, and coal conversion methods.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for activities under this section—

''(1) $30,000,000 for fiscal year 2021;

''(2) $31,500,000 for fiscal year 2022;

''(3) $33,075,000 for fiscal year 2023;

''(4) $34,729,000 for fiscal year 2024; and

''(5) $36,465,000 for fiscal year 2025.''.

(b) STUDY.—The Secretary shall enter into an agreement with the National Academies to conduct a study assessing the barriers, and opportunities related to the commercial application of carbon dioxide in the United States. Such study shall—

(1) analyze the technical feasibility, related challenges, and impacts to commercializing carbon dioxide, including—

(A) creating a national system of carbon dioxide pipelines and geologic sequestration sites;

(B) mitigating environmental and landowner impacts; and

(C) regional economic challenges and opportunities;

(2) identify potential markets, industries, or sectors that may benefit from greater access to commercial carbon dioxide;

(3) assess the current state of infrastructure and any necessary updates to allow for the integration of safe and reliable carbon dioxide transportation, utilization, and storage;

(4) estimate the economic, climate, and environmental impacts of any well-integrated national carbon dioxide pipeline system, including suggestions for policies that could improve the economic impact of the system;

(5) assess the global status and progress of carbon utilization technologies (both chemical and biological) in practice today that utilize waste carbon (including carbon dioxide, carbon monoxide, methane, and biogas) from power generation, biofuels production, and other industrial processes that may be important to minimizing net greenhouse gas emissions;

(6) identify emerging technologies and approaches for carbon utilization that show promise for scale-up, demonstration, deployment, and commercialization relevant to minimizing net greenhouse gas emissions;

(7) analyze the factors associated with making carbon utilization technologies that may be important to minimizing net greenhouse gas emissions viable at a commercial scale, including carbon waste stream availability, economics, market capacity, energy and lifecycle requirements;

(8) assess the major technical challenges associated with increasing the commercial viability of carbon reuse technologies, and identify the research and development questions that will address those challenges;

(9) assess current research efforts, including engineering and computational, that are addressing these challenges and identify gaps in the current research portfolio; and

(10) develop a comprehensive research agenda that addresses both long- and short-term research needs and opportunities for technologies that may be important to minimizing net greenhouse gas emissions.

SEC. 3107. ADVANCED ENERGY SYSTEMS.

Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.), as amended by this Act, is further amended by adding at the end the following:

''SEC. 970A. ADVANCED ENERGY SYSTEMS.

''(a) IN GENERAL.—The Secretary shall conduct a program, with the purpose of reducing emissions from fossil fuel power generation by not less than 50 percent, of research, development, demonstration, and commercial application with respect to the following:

''(1) High-efficiency turbines in accordance with the program under section 970A–1.

''(2) Supercritical and ultrasupercritical carbon dioxide, with an emphasis on developing directly-fired and indirectly fired cycles in the next 10 years.

''(3) Advanced combustion systems, including oxy-combustion systems and chemical looping.

''(4) Fuel cell technologies for low-cost, high-efficiency, fuel-flexible, modular power systems, including solid oxide fuel cell technology for commercial, residential, and distributed generation systems, using improved manufacturing production and processes.

''(5) Gasification systems to enable carbon capture, improve efficiency, and reduce capital and operating costs.

''(6) Thermal cycling with ramping or rapid black start capabilities that do not compromise efficiency or environmental performance.

''(7) Small-scale and modular coal-fired technologies with reduced carbon outputs or carbon capture that can support incremental power generation capacity additions.

''(b) PRIORITY.—In carrying out the program under subsection (a), the Secretary is encouraged to prioritize transformational technologies that enable a step change in reduction of emissions as compared to the technology in existence on the date of enactment of this section.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for activities under this section and section 970A–1—

''(1) $150,000,000 for fiscal year 2021;

''(2) $157,500,000 for fiscal year 2022;

''(3) $165,375,000 for fiscal year 2023;

''(4) $173,643,750 for fiscal year 2024; and

''(5) $182,325,938 for fiscal year 2025.

''SEC. 970A–1. HIGH EFFICIENCY GAS TURBINES.

''(a) IN GENERAL.—The Secretary of Energy, through the Office of Fossil Energy, shall carry out a multiyear, multiphase program of research, development, and technology demonstration to improve the efficiency of gas turbines used in power generation systems and to identify the technologies that ultimately will lead to gas turbine combined cycle efficiency of 67 percent or simple cycle efficiency of 50 percent.

''(b) PROGRAM ELEMENTS.—The program under this section shall—

''(1) support first-of-a-kind engineering and detailed gas turbine design for megawatt-scale and utility-scale electric power generation, including—

''(A) high temperature materials, including superalloys, coatings, and ceramics;

''(B) improved heat transfer capability;

''(C) manufacturing technology required to construct complex three-dimensional geometry parts with improved aerodynamic capability;

''(D) combustion technology to produce higher firing temperature while lowering nitrogen oxide and carbon monoxide emissions per unit of output;

''(E) advanced controls and systems integration;

''(F) advanced high performance compressor technology; and

''(G) validation facilities for the testing of components and subsystems;

''(2) include technology demonstration through component testing, subscale testing, and full-scale testing in existing fleets;

''(3) include field demonstrations of the developed technology elements so as to demonstrate technical and economic feasibility; and

''(4) assess overall combined cycle and simple cycle system performance.

''(c) PROGRAM GOALS.—The goals of the multiphase program established under subsection (a) shall be—

''(1) in phase I—

''(A) to develop the conceptual design of advanced high efficiency gas turbines that can achieve at least 65-percent combined cycle efficiency or 47-percent simple cycle efficiency on a lower heating value basis; and

''(B) to develop and demonstrate the technology required for advanced high efficiency gas turbines that can achieve at least 65-percent combined cycle efficiency or 47-percent simple cycle efficiency on a lower heating value basis; and

''(2) in phase II, to develop the conceptual design for advanced high efficiency gas turbines that can achieve at least 67-percent combined cycle efficiency or 50-percent simple cycle efficiency on a lower heating value basis.

''(d) PROPOSALS.—Not later than 180 days after the date of enactment of this section, the Secretary shall solicit grant and contract proposals from industry, small businesses, universities, and other appropriate parties for conducting activities under this Act. In selecting proposals, the Secretary shall emphasize—

''(1) the extent to which the proposal will stimulate the creation or increased retention of jobs in the United States; and

''(2) the extent to which the proposal will promote and enhance United States technology leadership.

''(e) COMPETITIVE AWARDS.—The provision of funding under this section shall be on a competitive basis with an emphasis on technical merit.

''(f) COST SHARING.—Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) shall apply to an award of financial assistance made under this section.

''(g) LIMITS ON PARTICIPATION.—The limits on participation applicable under section 999E of the Energy Policy Act of 2005 (42 U.S.C. 16375) shall apply to financial assistance awarded under this section.''.

SEC. 3108. RARE EARTH ELEMENTS.

Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is further amended by adding at the end the following:

''SEC. 970B. RARE EARTH ELEMENTS.

''(a) IN GENERAL.—In coordination with the relevant Federal agencies, the Secretary shall conduct research to develop and assess methods to separate and recover rare earth elements and other strategic minerals and coproducts from coal and coal byproduct streams. The program shall—

''(1) develop advanced rare earth element separation and extraction processes using coal-based resources as feedstock materials;

''(2) assess the technical and economic feasibility of recovering rare earth elements from coal-based resources and validate such feasibility with prototype systems producing salable, high-purity rare earth elements from coal-based resources; and

''(3) assess and mitigate any environmental and public health impacts of recovering rare earth elements from coal-based resources.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for activities under this section—

''(1) $23,000,000 for fiscal year 2021;

''(2) $24,150,000 for fiscal year 2022;

''(3) $25,357,500 for fiscal year 2023;

''(4) $26,625,375 for fiscal year 2024; and

''(5) $27,956,644 for fiscal year 2025.''.

SEC. 3109. METHANE HYDRATE RESEARCH AMENDMENTS.

(a) REPEAL.—Section 2 of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2001) is repealed.

(b) DEVELOPMENT.—Section 4 of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2003) is amended by striking ''and development'' in each place it occurs.

(c) IN GENERAL.—Section 4(b) of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2003(b)) is amended to read as follows:

''(b) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, INTERAGENCY FUNDS TRANSFER AGREEMENTS, AND FIELD WORK PROPOSALS.—

''(1) ASSISTANCE AND COORDINATION.—In carrying out the program of methane hydrate research authorized by this section, the Secretary may award grants, or enter into contracts or cooperative agreements to—

''(A) conduct research to assess and mitigate the environmental impact of natural methane hydrate degassing;

''(B) conduct research to identify the environmental and health impacts of methane hydrate development;

''(C) assess and develop technologies to mitigate environmental impacts of natural methane hydrate degassing and to mitigate environmental impacts of the exploration and commercial development of methane hydrates, including through the avoidance of the use of seismic testing; or

''(D) expand education and training programs in methane hydrate research through fellowships or other means for graduate education and training.

''(2) ENVIRONMENTAL MONITORING AND RESEARCH.—

''(A) IN GENERAL.—The Secretary, Secretary of Commerce, and Secretary of the Interior shall conduct a long-term environmental monitoring and research program to study methane hydrates.

''(B) NOTICE AND COMMENT.—In developing a plan for long-term environmental monitoring and research under subparagraph (A), the Secretaries shall publish in the Federal Register a notice providing for an opportunity for the public to comment on such plan prior to conducting monitoring and research under such subparagraph.

''(3) COMPETITIVE PEER REVIEW.—Funds made available to carry out paragraphs (1) and (2) shall be made available based on a competitive process using external scientific peer review of proposed research.''.

(d) RESPONSIBILITIES OF THE SECRETARY.—Section 4(e) of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2003(e)) is amended to read as follows:

''(e) RESPONSIBILITIES OF THE SECRETARY.—In carrying out subsection (b)(1), the Secretary shall—

''(1) facilitate and develop partnerships among government, industrial enterprises, and institutions of higher education to research methane hydrates;

''(2) ensure that the data and information developed through the program are accessible and widely disseminated as needed and appropriate;

''(3) promote cooperation among agencies that are developing technologies that may hold promise for methane hydrate research;

''(4) report annually to Congress on the results of actions taken to carry out this chapter; and

''(5) ensure, to the maximum extent practicable, greater participation by the Department of Energy in international cooperative efforts.''.

(e) CONFORMING AMENDMENT.—Section 4(e) of such Act (30 U.S.C. 2003(e)) is amended in the matter preceding paragraph (1) by striking ''subsection (b)(1)'' and inserting ''paragraphs (1) and (2) of subsection (b)''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 7 of such Act (30 U.S.C. 2006) is amended to read as follows:

''SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Secretary to carry out this Act $15,000,000, to remain available until expended, for each of fiscal years 2021 through 2025.''.

SEC. 3110. CARBON REMOVAL.

Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is further amended by adding at the end the following:

''SEC. 970C. CARBON REMOVAL.

''(a) ESTABLISHMENT.—The Secretary, in coordination with the appropriate Federal agencies, shall establish a research, development, and demonstration program to remove carbon dioxide from the atmosphere on a large scale. The program may include activities in—

''(1) direct air capture and storage technologies;

''(2) enhanced carbon mineralization;

''(3) bioenergy with carbon capture and sequestration;

''(4) agricultural and grazing practices;

''(5) forest management and afforestation; and

''(6) planned or managed carbon sinks, including natural and artificial.

''(b) PRIORITIZATION.—In carrying out the program established in subsection (a), the Secretary shall prioritize—

''(1) the activities described in paragraphs (1) and (2) of subsection (a), acting through the Assistant Secretary for Fossil Energy; and

''(2) the activities described in subsection (a)(3), acting through the Assistant Secretary for Energy Efficiency and Renewable Energy and the Assistant Secretary for Fossil Energy.

''(c) CONSIDERATIONS.—The program under this section shall identify and develop carbon removal technologies and strategies that consider the following:

''(1) Land use changes, including impacts on natural and managed ecosystems.

''(2) Ocean acidification.

''(3) Net greenhouse gas emissions.

''(4) Commercial viability.

''(5) Potential for near-term impact.

''(6) Potential for carbon reductions on a gigaton scale.

''(7) Economic co-benefits.

''(d) ACCOUNTING.—The Department shall collaborate with the Environmental Protection Agency and other relevant agencies to develop and improve accounting frameworks and tools to accurately measure carbon removal and sequestration methods and technologies across the Federal Government.

''(e) AIR CAPTURE TECHNOLOGY PRIZE.—Not later than 1 year after the date of enactment of this Act, as part of the program carried out under this section, the Secretary shall carry out a program to award competitive technology prizes for carbon dioxide capture from ambient air or water. In carrying out this subsection, the Secretary shall—

''(1) in accordance with section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), develop requirements for—

''(A) the prize competition process;

''(B) minimum performance standards for projects eligible to participate in the prize competition; and

''(C) monitoring and verification procedures for projects selected to receive a prize award;

''(2) establish minimum levels for the capture of carbon dioxide from ambient air or water that are required to qualify for a prize award; and

''(3) offer prize awards for any of the following:

''(A) A design for a promising capture technology that will—

''(i) be operated on a demonstration scale; and

''(ii) have the potential to achieve significant reduction in the level of carbon dioxide in the atmosphere.

''(B) A successful bench-scale demonstration of a capture technology.

''(f) COMMERCIAL DIRECT AIR CAPTURE PRIZE.—

''(1) DEFINITIONS.—In this subsection:

''(A) QUALIFIED CARBON DIOXIDE.—

''(i) IN GENERAL.—The term 'qualified carbon dioxide' means any carbon dioxide that—

''(I) is captured directly from the ambient air; and

''(II) is measured at the source of capture and verified at the point of disposal, injection, or utilization.

''(ii) INCLUSION.—The term 'qualified carbon dioxide' includes the initial deposit of captured carbon dioxide used as a tertiary injectant.

''(iii) EXCLUSION.—The term 'qualified carbon dioxide' does not include carbon dioxide that is recaptured, recycled, and reinjected as part of the enhanced oil and natural gas recovery process.

''(B) QUALIFIED DIRECT AIR CAPTURE FACILITY.—

''(i) IN GENERAL.—Subject to clause (ii), the term 'qualified direct air capture facility' means any facility that—

''(I) uses carbon capture equipment to capture carbon dioxide directly from the ambient air; and

''(II) captures more than 10,000 metric tons of qualified carbon dioxide annually.

''(ii) EXCLUSION.—The term 'qualified direct air capture facility' does not include any facility that captures carbon dioxide—

''(I) that is deliberately released from naturally occurring subsurface springs; or

''(II) using natural photosynthesis.

''(2) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall establish a commercial direct air capture prize designed to significantly reward commercial applications of direct air capture technologies.

''(3) COMMERCIAL DIRECT AIR CAPTURE PRIZE PROGRAM.—

''(A) AWARDS.—Under the prize program, the Secretary shall provide financial awards in a competitive setting equally for each ton of qualified carbon dioxide captured by a qualified direct air capture facility until appropriated funds are expended. The prize per metric ton shall not exceed—

''(i) $180 for qualified carbon dioxide captured and stored in saline storage formations;

''(ii) a lesser amount as determined by the Secretary for qualified carbon dioxide captured and stored in conjunction with enhanced oil recovery operations; or

''(iii) a lesser amount as determined by the Secretary for qualified carbon dioxide captured and utilized in any activity consistent with section 45Q(f)(5) of the Internal Revenue Code of 1986.

''(B) ADMINISTRATION.—

''(i) REQUIREMENTS.—Not later than 1 year after the date of enactment of this section, the Administrator, in consultation with the Secretary, shall submit requirements for qualifying metric tons of carbon dioxide. In carrying out this clause, the Administrator shall develop specific requirements for—

''(I) the process of applying for prizes; and

''(II) the demonstration of performance of approved projects.

''(ii) DETERMINATION.—For purposes of determining the amount of metric tons of qualified carbon dioxide eligible for prizes under clause (i), the amount shall be equal to the net metric tons of carbon dioxide removal demonstrated by the recipient, subject to the requirements set forth by the Administrator under such clause.

''(C) SCHEDULE OF PAYMENT.—The Secretary shall award prizes on an annual basis to qualified direct air capture facilities for metric tons of qualified carbon dioxide captured and verified at the point of disposal, injection, or utilization.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $200,000,000 for the period of fiscal years 2021 through 2025, and $400,000,000 for the period of fiscal years 2026 through 2030, to remain available until expended.

''(g) DIRECT AIR CAPTURE TEST CENTER.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall award grants to one or more eligible entities for the operation of one or more test centers (in this subsection, known as 'Centers') to provide unique testing capabilities for innovative direct air capture and storage technologies.

''(2) PURPOSE.—Each Center shall—

''(A) advance research, development, demonstration, and commercial application of direct air capture and storage technologies;

''(B) support pilot plant and full-scale demonstration projects and test technologies that represent the scale of technology development beyond laboratory testing but not yet advanced to test under operational conditions at commercial scale;

''(C) develop front-end engineering design and economic analysis; and

''(D) maintain a public record of pilot and full-scale plant performance.

''(3) PRIORITY CRITERIA.—In selecting applications to operate a Center under this subsection, the Secretary shall prioritize applicants that—

''(A) have access to existing or planned research facilities;

''(B) are institutions of higher education with established expertise in engineering for direct air capture technologies, or partnerships with such institutions; or

''(C) have access to existing research and test facilities for bulk materials design and testing, component design and testing, or professional engineering design.

''(4) SCHEDULE.—Each grant to operate a Center under this subsection shall be awarded for a term of not more than 5 years, subject to the availability of appropriations. The Secretary may renew such 5-year term without limit, subject to a rigorous merit review.

''(5) TERMINATION.—To the extent otherwise authorized by law, the Secretary may eliminate the center during any 5-year term described in the last paragraph if it is underperforming.

''(h) LARGE-SCALE PILOTS AND DEMONSTRATIONS.—In supporting the technology development activities under this section, the Secretary is encouraged to support carbon removal pilot and demonstration projects, including—

''(1) pilot projects that test direct air capture systems capable of capturing 10 to 100 tonnes of carbon oxides per year to provide data for demonstration-scale projects; and

''(2) direct air capture demonstration projects capable of capturing greater than 1,000 tonnes of carbon oxides per year.

''(i) INTRA-AGENCY RESEARCH.—In carrying out the program established in (a), the Secretary shall encourage and promote collaborations among relevant offices and agencies within the Department.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for activities under this section—

''(1) $275,000,000 for fiscal year 2021, of which $15,000,000 are authorized to carry out subsection (e) and of which $200,000,000 are authorized to carry out subsection (f);

''(2) $263,000,000 for fiscal year 2022, of which $200,000,000 are authorized to carry out subsection (f);

''(3) $266,150,000 for fiscal year 2023, of which $200,000,000 are authorized to carry out subsection (f);

''(4) $269,458,000 for fiscal year 2024, of which $200,000,000 are authorized to carry out subsection (f); and

''(5) $272,930,000 for fiscal year 2025, of which $200,000,000 are authorized to carry out subsection (f).''.

SEC. 3111. METHANE LEAK DETECTION AND MITIGATION.

Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is further amended by adding at the end the following:

''SEC. 970D. METHANE LEAK DETECTION AND MITIGATION.

''(a) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency and other appropriate Federal agencies, shall carry out a program of methane leak detection and mitigation research, development, demonstration, and commercial application for technologies and methods that significantly reduce emissions. In carrying out the program, the Secretary shall—

''(1) develop cooperative agreements with State or local governments or private entities to provide technical assistance to—

''(A) prevent or respond to methane leaks, including detection, mitigation, and identification of leaks throughout the natural gas infrastructure (which includes natural gas storage, pipelines, and natural gas production sites); and

''(B) protect public health in the event of a major methane leak;

''(2) promote demonstration and adoption of effective methane emissions-reduction technologies in the private sector;

''(3) in coordination with representatives from private industry, State and local governments, and institutions of higher education, create a publicly accessible resource for best practices in the design, construction, maintenance, performance, monitoring, and incident response for—

''(A) pipeline systems;

''(B) wells;

''(C) compressor stations;

''(D) storage facilities; and

''(E) other vulnerable infrastructure;

''(4) identify high-risk characteristics of pipelines, wells, and materials, geologic risk factors, or other key factors that increase the likelihood of methane leaks; and

''(5) in collaboration with private entities and institutions of higher education, quantify and map significant geologic methane seeps across the United States.

''(b) CONSIDERATIONS.—In carrying out the program under this section, the Secretary shall consider the following:

''(1) Historical data of methane leaks.

''(2) Public health consequences.

''(3) Public safety.

''(4) Novel materials and designs for pipelines, compressor stations, components, and wells (including casing, cement, wellhead).

''(5) Regional geologic traits.

''(6) Induced and natural seismicity.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for activities under this section—

''(1) $22,000,000 for fiscal year 2021;

''(2) $23,100,000 for fiscal year 2022;

''(3) $24,255,000 for fiscal year 2023;

''(4) $25,467,750 for fiscal year 2024; and

''(5) $26,741,138 for fiscal year 2025.''.

SEC. 3112. WASTE GAS UTILIZATION.

Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is further amended by adding at the end the following:

''SEC. 970E. WASTE GAS UTILIZATION.

''The Secretary shall carry out a program of research, development, and demonstration for waste gas utilization. The program shall—

''(1) identify and evaluate novel uses for light hydrocarbons, such as methane, ethane, propane, butane, pentane, and hexane, produced during oil and shale gas production, including the production of chemicals or transportation fuels;

''(2) develop advanced gas conversion technologies that are modular and compact, and may leverage advanced manufacturing technologies;

''(3) support demonstration activities at operating oil and gas facilities to test the performance and cost-effectiveness of new gas conversion technologies; and

''(4) assess and monitor potential changes in life cycle greenhouse gas emissions that may result from the use of technologies developed under this program.''.

SEC. 3113. NATIONAL ENERGY TECHNOLOGY LABORATORY REFORMS.

(a) SPECIAL HIRING AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND PROJECT MANAGEMENT PERSONNEL.—

(1) IN GENERAL.—The Director of the National Energy Technology Laboratory shall have the authority to—

(A) make appointments to positions in the Laboratory to assist in meeting a specific project or research need, without regard to civil service laws, of individuals who—

(i) have an advanced scientific or engineering background; or

(ii) have a business background and can assist in specific technology-to-market needs;

(B) fix the basic pay of any employee appointed under this section at a rate not to exceed level II of the Executive Schedule; and

(C) pay any employee appointed under this section payments in addition to basic pay, except that the total amount of additional payments paid to an employee under this subsection for any 12-month period shall not exceed the least of—

(i) $25,000;

(ii) the amount equal to 25 percent of the annual rate of basic pay of that employee; and

(iii) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(2) LIMITATIONS.—

(A) IN GENERAL.—The term of any employee appointed under this section shall not exceed 3 years.

(B) FULL-TIME EMPLOYEES.—Not more than 10 full-time employees appointed under this subsection may be employed at the National Energy Technology Laboratory at any given time.

(b) DISCRETIONARY RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The Secretary shall establish mechanisms under which the Director of the National Energy Technology Laboratory may use an amount that is, in total, not less than 2 percent and not more than 4 percent of all funds available to the Laboratory for the following purposes:

(A) To fund innovative research that is conducted at the Laboratory and supports the mission of the Department.

(B) To fund technology development programs that support the transition of technologies developed by the Laboratory into the commercial market.

(C) To fund workforce development activities to strengthen external engineering and manufacturing partnerships to ensure safe, efficient, productive, and useful fossil energy technology production.

(D) To fund the revitalization, recapitalization, or minor construction of the Laboratory infrastructure.

(2) PRIORITIZATION.—The Director shall prioritize innovative experiments and proposals proposed by scientists and researchers at the National Energy Technology Laboratory.

(3) ANNUAL REPORT ON USE OF AUTHORITY.—Not later than March 1 of each year, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the use of the authority under this subsection during the preceding fiscal year.

(c) LABORATORY OPERATIONS.—The Secretary shall delegate human resources operations of the National Energy Technology Laboratory to the Director of the National Energy Technology Laboratory.

(d) REVIEW.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the National Energy Technology Laboratory's management and research. The report shall include—

(1) an assessment of the quality of science and research at the National Energy Technology Laboratory relative to similar work at other national laboratories;

(2) a review of the effectiveness of authorities provided in subsections (a) and (b); and

(3) recommendations for policy changes within the Department and legislative changes to provide the National Energy Technology Laboratory the necessary tools and resources to advance its research mission.

SEC. 3114. CLIMATE SOLUTIONS CHALLENGES.

(a) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall establish a program to be known as ''Fossil Energy Climate Solutions Challenges'' for carrying out prize competitions described under subsection (d) pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) relating to the climate and energy.

(b) PRIZE COMMITTEES.—

(1) IN GENERAL.—The Secretary shall assemble a prize committee that shall define the scope and detail of, and provide the requirements for, the prize competitions under this section. Such committee may be composed of—

(A) members from the Office of Fossil Energy, Advanced Research Projects Energy, Office of Technology Transitions, or other offices that most appropriately corresponds with the topic of the prize competition; and

(B) representatives of any other entities, as determined appropriate by the Secretary, including other Federal agencies, State and local governments, and the private sector.

(2) DEFINING TOPIC AREAS.—The prize committee may modify and define the scope of the prize areas described under subsection (c), so long as such modification is in accordance with descriptions in such subsection.

(3) INCENTIVE FOR PRIZE COMPETITION.—The prize committee for each prize competition shall determine the incentive for the prize competition. In determining the incentive, the committee shall consider—

(A) a cash prize;

(B) access to Government facilities, such as through a lab-embedded entrepreneurship program of the Department of Energy, a cooperative research and development agreement, or other method;

(C) advance market commitments for technologies of use or promise to the Federal Government; and

(D) any other incentive provided for by law.

(4) JUDGING CRITERIA.—The prize committee for each prize competition shall establish judging criteria for the competition that shall include, at a minimum—

(A) potential for the solution to become a commercial product or service or advance knowledge to further the public good;

(B) consideration of how likely the solution is to lead to subsequent research, development, deployment, or manufacturing in the United States;

(C) the degree to which the solution will lower the climate footprint of the United States; and

(D) the degree to which the solution will lower the global climate footprint.

(5) CONSIDERATION.—In carrying out this section, the committee shall take into consideration the best practices provided for in the challenges and prizes toolkit made publicly available on December 15, 2016, by the General Services Administration.

(c) PRIZE COMPETITIONS.—In carrying out the program, the Secretary shall offer prize awards for any of the following:

(1) Solutions to capture carbon emissions from sources that would otherwise be emitted to the atmosphere.

(2) Solutions to convert carbon emissions to a beneficial use that does not result in near-term re-release into the atmosphere, unless such re-release offsets the emission of additional carbon into the atmosphere, such that the net effect of the solution is to reduce the overall amount of carbon being emitted to the atmosphere.

(3) Other solutions that have potential to achieve reduction in greenhouse gas emissions associated with fossil-based energy production.

(d) ACCEPTANCE OF FUNDS.—In addition to such sums as may be appropriated or otherwise made available to the Secretary to award prizes under this section, the Secretary may accept funds from other Federal agencies, private sector entities, and State and local governments to award prizes under this section. The Secretary may not give any special consideration relating to the selection of awards under the prize competition to any private sector entity or individual in return for a donation to the Secretary or prize committee.

(e) ELIGIBILITY.—Notwithstanding section 24(g)(3) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719(g)(3)), a group may be eligible for an award under this section if one or more members of such group is a citizen or permanent resident of the United States.

(f) COMPLETION OF PRIZE COMPETITIONS.—The prize competitions carried out under this section shall be completed not later than the date that is 5 years after the program is established under subsection (a).

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $15,000,000 to carry out this section, to remain available until expended.

Subtitle B—Controlling Methane Leaks

SEC. 3201. IMPROVING THE NATURAL GAS DISTRIBUTION SYSTEM.

(a) PROGRAM.—The Secretary of Energy shall establish a grant program to provide financial assistance to States to offset the incremental rate increases paid by low-income households resulting from the implementation of infrastructure replacement, repair, and maintenance programs that are approved by the rate-setting entity and designed to accelerate the necessary replacement, repair, or maintenance of natural gas distribution systems.

(b) DATE OF ELIGIBILITY.—Awards may be provided under this section to offset rate increases described in subsection (a) occurring on or after the date of enactment of this Act.

(c) PRIORITIZATION.—The Secretary shall collaborate with States to prioritize the distribution of grants made under this section. At a minimum, the Secretary shall consider prioritizing the distribution of grants to States which have—

(1) authorized or adopted enhanced infrastructure replacement programs or innovative rate recovery mechanisms, such as infrastructure cost trackers and riders, infrastructure base rate surcharges, deferred regulatory asset programs, and earnings stability mechanisms; and

(2) a viable means for delivering financial assistance to low-income households.

(d) AUDITING AND REPORTING REQUIREMENTS.—The Secretary shall establish auditing and reporting requirements for States with respect to the performance of eligible projects funded pursuant to grants awarded under this section.

(e) PREVAILING WAGES.—All laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work assisted, in whole or in part, by a grant under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40. With respect to the labor standards in this subsection, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40.

(f) DEFINITIONS.—In this section:

(1) INNOVATIVE RATE RECOVERY MECHANISMS.—The term ''innovative rate recovery mechanisms'' means rate structures that allow State public utility commissions to modify tariffs and recover costs of investments in utility replacement incurred between rate cases.

(2) LOW-INCOME HOUSEHOLD.—The term ''low-income household'' means a household that is eligible to receive payments under section 2605(b)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(b)(2)).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $250,000,000 in each of fiscal years 2021 through 2025.

Subtitle C—Eminent Domain Reform

SEC. 3301. MODIFICATIONS TO EXERCISE OF THE RIGHT OF EMINENT DOMAIN BY HOLDER OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

(a) REQUIREMENT.—Section 7(h) of the Natural Gas Act (15 U.S.C. 717f(h)) is amended—

(1) by striking ''When any holder'' and inserting the following: '' (1) Subject to paragraph (2), when any holder''; and

(2) by adding at the end the following new paragraphs:

''(2) A holder of a certificate of public convenience and necessity may not exercise the right of eminent domain under paragraph (1) unless the holder—

''(A) obtains all Federal and State permits required by law for the construction and operation of pipeline facilities;

''(B) complies with all environmental conditions appended to the certificate order; and

''(C) is in compliance with subsection (i)(2).

''(3) A holder of a certificate of public convenience and necessity shall be suspended from the exercise of the right of eminent domain under paragraph (1)—

''(A) if the holder requests a material amendment to the certificate, until such time as the conditions in paragraph (4) are satisfied; or

''(B) if a Federal or State permit held by the holder is vacated or remanded, until such time as—

''(i) all vacated or remanded permits are reinstated or reissued to the holder; and

''(ii) the holder complies with all environmental conditions appended to the certificate order.

''(4) A holder of a certificate of public convenience and necessity who requests a material amendment to the certificate and has the exercise of the right of eminent domain suspended under paragraph (3)(A) may not commence a new action or proceeding to exercise the right of eminent domain under paragraph (1) until such time as—

''(A) the Commission issues an amended certificate of public convenience and necessity; and

''(B) the holder—

''(i) obtains all additional Federal and State permits required by law pursuant to the amended certificate; and

''(ii) complies with all environmental conditions appended to the amended certificate order.''.

(b) ACCESS FOR SURVEYS.—Section 7 of the Natural Gas Act (15 U.S.C. 717f) is further amended by adding at the end the following:

''(i)(1) For purposes of subsection (h), the exercise of the right of eminent domain does not include accessing property for purposes of surveying prior to acquiring the property, except in accordance with paragraph (2).

''(2) If a holder of a certificate of public convenience and necessity is unable to agree with the owner of property on access to the property for purposes of surveying, the holder shall enter into the dispute resolution process of the Commission. If dispute resolution fails, or if the property owner refuses to participate in such process, the Commission may, upon a showing by the holder of documented repeated, good faith efforts to work with the property owner to agree on such access, issue an order declaring that, upon a court order, for purposes of the relevant certificate and with respect to the relevant property, the exercise of the right of eminent domain under subsection (h) includes accessing the property, in a limited, non-land-disturbing manner, for purposes of surveying prior to acquiring the property.''.

(c) EFFECTIVE DATE.—The amendments made by this subtitle shall apply—

(1) to any action or proceeding for eminent domain under section 7(h)(1) of the Natural Gas Act, as amended by this subtitle, commencing on or after the date of enactment of this Act; and

(2) to any request for a material amendment to a certificate of public convenience and necessity occurring on or after the date of enactment of this Act.

TITLE IV—NUCLEAR ENERGY

Subtitle A—Advanced Nuclear Fuel Availability

SECTION 4101. PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish and carry out, through the Office of Nuclear Energy, a program to support the availability of HA–LEU for civilian domestic demonstration and commercial use.

(b) PROGRAM ELEMENTS.—In carrying out the program under subsection (a), the Secretary—

(1) shall develop, in consultation with the Commission, criticality benchmark data to assist the Commission in—

(A) the licensing and regulation of category II spent nuclear material fuel fabrication and enrichment facilities under part 70 of title 10, Code of Federal Regulations; and

(B) certification of transportation packages under part 71 of title 10, Code of Federal Regulations;

(2) may conduct research and development, and provide financial assistance to assist commercial entities, to design and license transportation packages for HA–LEU, including canisters for metal, gas, and other HA–LEU compositions;

(3) shall, to the extent practicable—

(A) by January 1, 2024, have commercial entities submit such transportation package designs to the Commission for certification by the Commission under part 71 of title 10, Code of Federal Regulations; and

(B) encourage the Commission to have such transportation package designs so certified by the Commission by January 1, 2026;

(4) shall consider options for acquiring or providing HA-LEU from a stockpile of uranium owned by the Department, or using enrichment technology, to make available to members of the consortium established pursuant to paragraph (6) for commercial use or demonstration projects, taking into account cost and amount of time required, and prioritizing methods that would produce usable HA-LEU the quickest, including options for acquiring or providing HA-LEU—

(A) that—

(i) directly meets the needs of an end user; and

(ii) has been previously used or fabricated for another purpose;

(B) that meets the needs of an end user after having radioactive or other contaminants that resulted from a previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department removed;

(C) that is produced from high-enriched uranium that is blended with lower assay uranium to become HA–LEU to meet the needs of an end user; or

(D) that is produced by United States or foreign-owned commercial entities;

(5) not later than 1 year after the date of enactment of this Act, and biennially thereafter, shall conduct a survey of stakeholders to estimate the quantity of HA–LEU necessary for domestic commercial use for each of the 5 subsequent years;

(6) shall establish a consortium, which may include entities involved in any stage of the nuclear fuel cycle, to partner with the Department to support the availability of HA–LEU for civilian domestic demonstration and commercial use, including by—

(A) providing information to the Secretary for purposes of surveys conducted under paragraph (5);

(B) purchasing HA–LEU made available to members of the consortium by the Secretary under the program; and

(C) carrying out demonstration projects using HA-LEU awarded by the Secretary under the program;

(7) shall, prior to acquiring or providing HA–LEU under paragraph (8), in coordination with the consortium established pursuant to paragraph (6), develop a schedule for cost recovery of HA–LEU made available to members of the consortium using HA–LEU for commercial use pursuant to paragraph (8);

(8) shall, beginning not later than 3 years after the establishment of a consortium under paragraph (6), have the capability to acquire or provide HA–LEU, in order to make such HA–LEU available to members of the consortium beginning not later than January 1, 2026, in amounts that are consistent, to the extent practicable, with—

(A) the quantities estimated under the surveys conducted under paragraph (5); plus

(B) the quantities necessary for demonstration projects carried out under the program, as determined by the Secretary; and

(9) shall, for advanced reactor demonstration projects, determine awardees of HA-LEU under this subtitle through a merit-based, competitive selection process.

(c) APPLICABILITY OF USEC PRIVATIZATION ACT.—

(1) SALE OR TRANSFER TO CONSORTIUM.—The requirements of subparagraphs (A) and (C) of section 3112(d)(2) of the USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)) shall apply to a sale or transfer of HA–LEU for commercial use by the Secretary to a member of the consortium under this section.

(2) DEMONSTRATION.—HA-LEU made available to members of the consortium established pursuant to subsection (b)(6) for demonstration projects shall remain the property of the Department, which shall be responsible for the storage, use, and disposition of all radioactive waste created by the irradiation, processing, or purification of such uranium, and shall not be treated as a sale or transfer of uranium subject to sections 3112 and 3113 of the USEC Privatization Act (42 U.S.C. 2297h–10; 42 U.S.C. 2297h–11).

(d) DOE ACQUISITION OF HA–LEU.—The Secretary may not make commitments under this section (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HA–LEU unless funds are specifically provided for such purposes in advance in subsequent appropriations Acts, and only to the extent that the full extent of anticipated costs stemming from such commitments is recorded as an obligation up front and in full at the time it is made.

(e) SUNSET.—The authority of the Secretary to carry out the program under this section shall expire on the earlier of—

(1) September 30, 2034; or

(2) 90 days after the date on which HA-LEU is available to provide a reliable and adequate supply for civilian domestic advanced nuclear reactors in the commercial market.

(f) LIMITATION.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to the final disposition of radioactive waste from uranium that is made available under this section.

SEC. 4102. REPORTS TO CONGRESS.

(a) COMMISSION REPORT ON NECESSARY REGULATORY UPDATES.—Not later than 12 months after the date of enactment of this Act, the Commission shall submit to Congress a report that includes—

(1) identification of updates to regulations, certifications, and other regulatory policies that the Commission determines are necessary in order for HA–LEU to be commercially available, including—

(A) guidance for material control and accountability of category II special nuclear material;

(B) certifications relating to transportation packaging for HA–LEU; and

(C) licensing of enrichment, conversion, and fuel fabrication facilities for HA–LEU, and associated physical security plans for such facilities;

(2) a description of such updates; and

(3) a timeline to complete such updates.

(b) DOE REPORT ON PROGRAM TO SUPPORT THE AVAILABILITY OF HA–LEU FOR CIVILIAN DOMESTIC DEMONSTRATION AND COMMERCIAL USE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to Congress a report that describes actions proposed to be carried out by the Secretary under the program described in section 4101(a).

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report under this subsection, the Secretary shall consult with—

(A) the Nuclear Regulatory Commission;

(B) the National Nuclear Security Administration;

(C) the National Laboratories;

(D) institutions of higher education;

(E) a diverse group of entities from the nuclear energy industry;

(F) a diverse group of technology developers;

(G) experts in nuclear nonproliferation, environmental safety, public health and safety, and economics; and

(H) members of the consortium created under section 4101(b)(6).

(3) COST AND SCHEDULE ESTIMATES.—The report under this subsection shall include estimated costs, budgets, and timeframes for all activities carried out under this subtitle.

(4) REQUIRED EVALUATIONS.—The report under this subsection shall evaluate—

(A) the actions required to establish and carry out the program under section 4101(a) and the cost of such actions, including with respect to—

(i) proposed preliminary terms for contracting between the Department and recipients of HA-LEU under the program (including guidelines defining the roles and responsibilities between the Department and the recipient); and

(ii) the potential to coordinate with recipients of HA-LEU under the program regarding—

(I) fuel fabrication; and

(II) fuel transport;

(B) the potential sources and fuel forms available to provide uranium for the program under section 4101(a);

(C) options to coordinate the program under section 4101(a) with the operation of the versatile, reactor-based fast neutron source under section 959A of the Energy Policy Act of 2005 (as added by this title);

(D) the ability of uranium producers to provide materials for advanced nuclear reactor fuel;

(E) any associated legal, regulatory, and policy issues that should be addressed to enable—

(i) implementation of the program under section 4101(a); and

(ii) the establishment of an industry capable of providing HA–LEU; and

(F) any research and development plans to develop criticality benchmark data under section 4101(b)(1), if needed.

(c) ALTERNATE FUELS REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, after consulting with relevant entities, including National Laboratories, institutions of higher education, and technology developers, submit to Congress a report identifying any and all options for providing nuclear material, containing isotopes other than the uranium-235 isotope, such as uranium-233 and thorium-232 to be used as fuel for advanced nuclear reactor research, development, demonstration, or commercial application purposes.

SEC. 4103. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle—

(1) $31,500,000 for fiscal year 2021;

(2) $33,075,000 for fiscal year 2022;

(3) $34,728,750 for fiscal year 2023;

(4) $36,465,188 for fiscal year 2024; and

(5) $38,288,447 for fiscal year 2025.

SEC. 4104. DEFINITIONS.

In this subtitle:

(1) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(2) DEPARTMENT.—The term ''Department'' means Department of Energy.

(3) HA–LEU.—The term ''HA–LEU'' means high-assay low-enriched uranium.

(4) HIGH-ASSAY LOW-ENRICHED URANIUM.—The term ''high-assay low-enriched uranium'' means

uranium having an assay greater than 5.0 weight percent and less than 20.0 weight percent enrichment of the uranium-235 isotope.

(5) HIGH-ENRICHED URANIUM.—The term ''high-enriched uranium'' means uranium with an assay of 20.0 weight percent enrichment or more of the uranium-235 isotope.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

Subtitle B—Nuclear Energy Leadership Act

SEC. 4201. DEFINITIONS.

Section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

''(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to reactors operating on the date of enactment of the Clean Economy Jobs and Innovation Act, including improvements such as—

''(i) additional inherent safety features;

''(ii) lower waste yields;

''(iii) improved fuel and material performance;

''(iv) increased tolerance to loss of fuel cooling;

''(v) enhanced reliability;

''(vi) increased proliferation resistance;

''(vii) increased thermal efficiency;

''(viii) reduced consumption of cooling water and other environmental impacts;

''(ix) the ability to integrate into electric applications and nonelectric applications;

''(x) modular sizes to allow for deployment that corresponds with the demand for electricity or process heat;

''(xi) operational flexibility to respond to changes in demand for electricity or process heat and to complement integration with intermittent renewable energy or energy storage; or

''(xii) improved resilience; and

''(B) a fusion reactor.''; and

(2) by adding at the end the following:

''(7) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).''.

SEC. 4202. NUCLEAR ENERGY RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION PROGRAMS.

(a) REACTOR CONCEPTS RESEARCH, DEVELOPMENT, AND DEMONSTRATION.—Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended to read as follows:

''SEC. 952. REACTOR CONCEPTS RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION.

''(a) SUSTAINABILITY PROGRAM FOR LIGHT WATER REACTORS.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research, development, demonstration, and commercial application to support existing operating nuclear power plants which shall address technologies to modernize and improve, with respect to such plants—

''(A) reliability;

''(B) capacity;

''(C) component aging;

''(D) safety;

''(E) physical security and security costs;

''(F) plant lifetime;

''(G) operations and maintenance costs, including by utilizing risk-informed systems analysis;

''(H) the ability for plants to operate flexibly;

''(I) nuclear hybrid energy system applications described in subsection (c);

''(J) efficiency;

''(K) environmental impacts; and

''(L) resilience.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program under this subsection—

''(A) $55,000,000 for fiscal year 2021;

''(B) $57,750,000 for fiscal year 2022;

''(C) $60,637,500 for fiscal year 2023;

''(D) $63,669,375 for fiscal year 2024; and

''(E) $66,852,844 for fiscal year 2025.

''(b) ADVANCED REACTOR TECHNOLOGIES.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research, development, demonstration, and commercial application to support advanced reactor technologies.

''(2) REQUIREMENTS.—In carrying out the program under this subsection, the Secretary shall—

''(A) prioritize designs for advanced nuclear reactors that are proliferation resistant and passively safe, including designs that, compared to reactors operating on the date of enactment of the Clean Economy Jobs and Innovation Act—

''(i) are economically competitive with other electric power generation plants;

''(ii) have higher efficiency, lower cost, less environmental impacts, increased resilience, and improved safety;

''(iii) use fuels that are proliferation-resistant and have reduced production of high-level waste per unit of output; and

''(iv) use advanced instrumentation and monitoring systems;

''(B) consult with the Nuclear Regulatory Commission on appropriate metrics to consider for the criteria specified in subparagraph (A);

''(C) support research and development to resolve materials challenges relating to extreme environments, including environments that contain high levels of—

''(i) radiation fluence;

''(ii) temperature;

''(iii) pressure; and

''(iv) corrosion;

''(D) support research and development to aid in the qualification of advanced fuels, including fabrication techniques;

''(E) support activities that address near-term challenges in modeling and simulation to enable accelerated design of and licensing of advanced nuclear reactors, including the identification of tools and methodologies for validating such modeling and simulation efforts;

''(F) develop technologies, including technologies to manage, reduce, or reuse nuclear waste;

''(G) ensure that nuclear research infrastructure is maintained or constructed, including—

''(i) currently operational research reactors at the National Laboratories and institutions of higher education;

''(ii) hot cell research facilities;

''(iii) a versatile fast neutron source; and

''(iv) advanced coolant testing facilities, including coolants such as lead, sodium, gas, and molten salt;

''(H) improve scientific understanding of nonlight water coolant physics and chemistry;

''(I) develop advanced sensors and control systems, including the identification of tools and methodologies for validating such sensors and systems;

''(J) investigate advanced manufacturing and advanced construction techniques and materials to reduce the cost of advanced nuclear reactors, including the use of digital twins and of strategies to implement project and construction management best practices, and study the effects of radiation and corrosion on materials created with these techniques;

''(K) consult with the Administrator of the National Nuclear Security Administration to integrate reactor safeguards and security into design;

''(L) support efforts to reduce any technical barriers that would prevent commercial application of advanced nuclear energy systems; and

''(M) develop various safety analyses and emergency preparedness and response methodologies.

''(3) COORDINATION.—The Secretary shall coordinate with individuals engaged in the private sector and individuals who are experts in nuclear non-proliferation, environmental and public health and safety, and economics to advance the development of various designs of advanced nuclear reactors.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program under this subsection $55,000,000 for each of fiscal years 2021 through 2025.

''(c) NUCLEAR HYBRID ENERGY SYSTEMS RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research, development, demonstration, and commercial application to develop nuclear hybrid energy systems, composed of 2 or more colocated or jointly operated subsystems of energy generation, energy storage, or other technologies and in which not less than 1 such subsystem is a nuclear energy system, to reduce greenhouse gas emissions in both the power and nonpower sectors.

''(2) COORDINATION.—In carrying out the program under paragraph (1), the Secretary shall coordinate with relevant program offices within the Department of Energy.

''(3) FOCUS AREAS.—The program under paragraph (1) may include research, development, demonstration, or commercial application of nuclear hybrid energy systems with respect to—

''(A) desalination of water;

''(B) hydrogen or other liquid and gaseous fuel or chemical production;

''(C) heat for industrial processes;

''(D) district heating;

''(E) heat or electricity generation and storage;

''(F) carbon capture, use, utilization, and storage;

''(G) microgrid or island applications;

''(H) integrated systems modeling, analysis, and optimization, inclusive of different configurations of hybrid energy systems; and

''(I) integrated design, planning, building, and operation of systems with existing infrastructure, including interconnection requirements with the electric grid, as appropriate.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program under this subsection—

''(A) $52,500,000 for fiscal year 2021;

''(B) $55,125,000 for fiscal year 2022;

''(C) $57,881,250 for fiscal year 2023;

''(D) $60,775,313 for fiscal year 2024; and

''(E) $63,814,078 for fiscal year 2025.''.

(b) FUEL CYCLE RESEARCH AND DEVELOPMENT.—Section 953 of the Energy Policy Act of 2005 (42 U.S.C. 16273) is amended to read as follows:

''SEC. 953. FUEL CYCLE RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION.

''(a) USED NUCLEAR FUEL RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION.—

''(1) IN GENERAL.—The Secretary shall conduct an advanced fuel cycle research, development, demonstration, and commercial application program that improves fuel cycle performance and supports a variety of options for used nuclear fuel storage, use, and disposal, including advanced nuclear reactor and non-reactor concepts (such as radioisotope power systems), while minimizing environmental and public health and safety impacts, including—

''(A) dry cask storage;

''(B) consolidated interim storage;

''(C) deep geological storage and disposal, including mined repository, and other technologies;

''(D) used nuclear fuel transportation;

''(E) integrated waste management systems;

''(F) vitrification;

''(G) fuel recycling and transmutation technologies, including advanced reprocessing technologies such as electrochemical and molten salt

technologies, and advanced redox extraction technologies;

''(H) advanced materials to be used in subparagraphs (A) through (G); and

''(I) other areas as determined by the Secretary.

''(2) REQUIREMENTS.—In carrying out the program under this subsection, the Secretary shall—

''(A) ensure all activities and designs incorporate state of the art safeguards technologies and techniques to reduce risk of proliferation;

''(B) consult with the Administrator of the National Nuclear Security Administration to integrate safeguards and security by design;

''(C) consider the potential benefits and other impacts of those activities for civilian nuclear applications, environmental health and safety, and national security, including consideration of public consent; and

''(D) consider the economic viability of all activities and designs.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program under this subsection—

''(A) $91,875,000 for fiscal year 2021;

''(B) $96,468,750 for fiscal year 2022;

''(C) $101,292,188 for fiscal year 2023;

''(D) $106,356,797 for fiscal year 2024; and

''(E) $111,674,637 for fiscal year 2025.

''(b) ADVANCED FUELS.—

''(1) IN GENERAL.—The Secretary shall conduct an advanced fuels research, development, demonstration, and commercial application program on next-generation light water reactor and advanced reactor fuels that demonstrate the potential for improved—

''(A) performance;

''(B) accident tolerance;

''(C) proliferation resistance;

''(D) use of resources;

''(E) environmental impact; and

''(F) economics.

''(2) REQUIREMENTS.—In carrying out the program under this subsection, the Secretary shall—

''(A) focus on the development of advanced technology fuels, including fabrication techniques, that offer improved accident-tolerance and economic performance with the goal of initial commercial application by December 31, 2025; and

''(B) cooperate with private industry and with institutions of higher education through the Nuclear Energy University and Integrated Research Projects programs of the Department.

''(3) REPORT.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes how the technologies and concepts studied under this program would impact reactor economics, the fuel cycle, operations, safety, proliferation, and the environment.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program under this subsection—

''(A) $133,000,000 for fiscal year 2021;

''(B) $139,650,000 for fiscal year 2022;

''(C) $146,632,500 for fiscal year 2023;

''(D) $153,964,125 for fiscal year 2024; and

''(E) $161,662,331 for fiscal year 2025.''.

(c) NUCLEAR SCIENCE AND ENGINEERING SUPPORT.—Section 954 of the Energy Policy Act of 2005 (42 U.S.C. 16274) is amended—

(1) in the section heading, by striking ''**UNIVERSITY NUCLEAR**'' *and inserting* ''**NUCLEAR**'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''this section'' and inserting ''this subsection''; and

(B) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(3) in subsection (c), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(4) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''this section'' and inserting ''this subsection''; and

(B) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately;

(5) in subsection (e), by striking ''this section'' and inserting ''this subsection'';

(6) in subsection (f)—

(A) by striking ''this section'' and inserting ''this subsection''; and

(B) by striking ''subsection (b)(2)'' and inserting ''paragraph (2)(B)'';

(7) by redesignating subsections (a) through (d) as paragraphs (1) through (4), respectively, and indenting appropriately;

(8) by redesignating subsections (e) and (f) as paragraphs (7) and (8), respectively;

(9) by inserting after paragraph (4) (as so redesignated) the following:

''(5) RADIOLOGICAL FACILITIES MANAGEMENT.—

''(A) IN GENERAL.—The Secretary shall carry out a program under which the Secretary shall provide project management, technical support, quality engineering and inspection, and nuclear material handling support to research reactors located at universities.

''(B) AUTHORIZATION OF APPROPRIATIONS.—Of any amounts appropriated to carry out the program under this subsection, there are authorized to be appropriated to the Secretary to carry out the program under this paragraph $20,000,000 for each of fiscal years 2021 through 2030.

''(6) NUCLEAR ENERGY UNIVERSITY PROGRAM.—In carrying out the programs under this section, the Department shall allocate 20 percent of funds appropriated to nuclear energy research and development programs annually to fund university-led research and university infrastructure projects through an open, competitive solicitation process.'';

(10) by inserting before paragraph (1) (as so redesignated) the following:

''(a) UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.—''; and

(11) by adding at the end the following:

''(b) NUCLEAR ENERGY APPRENTICESHIP SUBPROGRAM.—

''(1) ESTABLISHMENT.—In carrying out the program under subsection (a), the Secretary shall establish a nuclear energy apprenticeship subprogram under which the Secretary shall competitively award traineeships and apprenticeships in coordination with universities to provide focused, advanced training to meet critical mission needs of the Department, including in industries that are represented by skilled labor unions.

''(2) REQUIREMENTS.—In carrying out the subprogram under this subsection, the Secretary shall—

''(A) encourage appropriate partnerships among National Laboratories, affected universities, and industry; and

''(B) on an annual basis, evaluate the needs of the nuclear energy community to implement traineeships for focused topical areas addressing mission-specific workforce needs.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the subprogram under this subsection $5,000,000 for each of fiscal years 2021 through 2030.''.

(d) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 600) is amended by striking the items relating to sections 952 through 954 and inserting the following:

''Sec. 952. Reactor concepts research, development, demonstration, and commercial application.

''Sec. 953. Fuel cycle research, development, demonstration, and commercial application

''Sec. 954. Nuclear science and engineering support.''.

(e) UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.—Section 313 of the Omnibus Appropriations Act, 2009 (42 U.S.C. 16274a), is amended to read as follows:

''SEC. 313. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.

''(a) IN GENERAL.—In carrying out section 954 of the Energy Policy Act of 2005 (42 U.S.C. 16274), the Secretary of Energy shall support a program to be known as the University Nuclear Leadership Program (in this section referred to as the 'Program').

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), amounts made available to carry out the Program shall be used to provide financial assistance for scholarships, fellowships, and research and development projects at institutions of higher education with respect to research, development, demonstration, and commercial application activities relevant to civilian advanced nuclear reactors including, but not limited to—

''(A) relevant fuel cycle technologies;

''(B) project management; and

''(C) advanced construction, manufacturing, and fabrication methods.

''(2) EXCEPTION.—Notwithstanding paragraph (1), amounts made available to carry out the Program may be used to provide financial assistance for a scholarship, fellowship, or multiyear research and development project that does not align directly with a programmatic mission of the Department of Energy, if the activity for which assistance is provided would facilitate the maintenance of the discipline of nuclear science or nuclear engineering.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $15,000,000 to the Secretary of Energy to carry out the Program for each of fiscal years 2021 through 2030.''.

(f) VERSATILE NEUTRON SOURCE.—Section 955(c) of the Energy Policy Act of 2005 (42 U.S.C. 16275(c)) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking ''MISSION NEED'' and inserting ''AUTHORIZATION''; and

(B) in subparagraph (A), by striking ''determine the mission need'' and inserting ''provide''; and

(2) by adding at the end the following:

''(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out to completion the construction of the facility under this section—

''(A) $300,000,000 for fiscal year 2021;

''(B) $550,000,000 for fiscal year 2022;

''(C) $638,000,000 for fiscal year 2023;

''(D) $765,000,000 for fiscal year 2024; and

''(E) $763,000,000 for fiscal year 2025.''.

(g) ADVANCED NUCLEAR REACTOR RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following:

''SEC. 959A. ADVANCED NUCLEAR REACTOR RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION PROGRAM.

''(a) DEMONSTRATION PROJECT DEFINED.—For the purposes of this section, the term 'demonstration project' means—

''(1) an advanced nuclear reactor operated for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor—

''(A) as part of the power generation facilities of an electric utility system; or

''(B) in any other manner; or

''(2) the operation of one or more experimental advanced nuclear reactors, for the purpose of demonstrating the suitability for commercial application of such advanced nuclear reactors.

''(b) ESTABLISHMENT.—The Secretary shall establish a program to advance the research, development, demonstration, and commercial application of domestic advanced, affordable, nuclear energy technologies by—

''(1) demonstrating a variety of advanced nuclear reactor technologies that could be used to produce—

''(A) safer, emissions-free power at a lower cost compared to reactors operating on the date of enactment of the Clean Economy Jobs and Innovation Act;

''(B) heat for community heating, industrial purposes, heat storage, or synthetic fuel production;

''(C) remote or off-grid energy supply; or

''(D) backup or mission-critical power supplies;

''(2) identifying research areas that the private sector is unable or unwilling to undertake due to the cost of, or risks associated with, the research; and

''(3) facilitating the access of the private sector—

''(A) to Federal research facilities and personnel; and

''(B) to the results of research relating to civil nuclear technology funded by the Federal Government.

''(c) DEMONSTRATION PROJECTS.—In carrying out demonstration projects under the program established in subsection (b), the Secretary shall—

''(1) include, as an evaluation criterion, diversity in designs for the advanced nuclear reactors demonstrated under this section, including designs using various—

''(A) primary coolants;

''(B) fuel types and compositions; and

''(C) neutron spectra;

''(2) consider, as an evaluation criterion, the likelihood that the operating cost for future commercial units for each design implemented through a demonstration project under this subsection is cost-competitive in the applicable market, including those designs configured as hybrid energy systems as described in section 952(c);

''(3) ensure that each evaluation of candidate technologies for the demonstration projects is completed through an external review of proposed designs, which review shall—

''(A) be conducted by a panel that includes not fewer than 1 representative that does not have a conflict of interest of each of—

''(i) an electric utility;

''(ii) an entity that uses high-temperature process heat for manufacturing or industrial processing, such as a petrochemical or synthetic fuel company, a manufacturer of metals or chemicals, or a manufacturer of concrete;

''(iii) an expert from the investment community;

''(iv) a project management practitioner; and

''(v) an environmental health and safety expert; and

''(B) include a review of each demonstration project under this subsection which shall include consideration of cost-competitiveness and other value streams, together with the technology readiness level, the technical abilities and qualifications of teams desiring to demonstrate a proposed advanced nuclear reactor technology, the capacity to meet cost-share requirements of the Department, if Federal funding is provided, and environmental impacts;

''(4) for federally funded demonstration projects, enter into cost-sharing agreements with private sector partners in accordance with section 988 for the conduct of activities relating to the research, development, and demonstration of advanced nuclear reactor designs under the program;

''(5) consult with—

''(A) National Laboratories;

''(B) institutions of higher education;

''(C) traditional end users (such as electric utilities);

''(D) potential end users of new technologies (such as users of high-temperature process heat for manufacturing processing, including petrochemical or synthetic fuel companies, manufacturers of metals or chemicals, or manufacturers of concrete);

''(E) developers of advanced nuclear reactor technology;

''(F) environmental and public health and safety experts; and

''(G) non-proliferation experts;

''(6) seek to ensure that the demonstration projects carried out under this section do not cause any delay in the progress of an advanced reactor project by private industry and the Department of Energy that is underway as of the date of enactment of this section;

''(7) establish a streamlined approval process for expedited contracting between awardees and the Department;

''(8) identify technical challenges to candidate technologies;

''(9) support near-term research and development to address the highest risk technical challenges to the successful demonstration of a selected advanced reactor technology, in accordance with—

''(A) paragraph (8);

''(B) the research and development activities under section 952(b); and

''(C) the research and development activities under section 958; and

''(10) establish such technology advisory working groups as the Secretary determines to be appropriate to advise the Secretary regarding the technical challenges identified under paragraph (8) and the scope of research and development programs to address the challenges, in accordance with paragraph (9), to be comprised of—

''(A) private sector advanced nuclear reactor technology developers;

''(B) technical experts with respect to the relevant technologies at institutions of higher education;

''(C) technical experts at the National Laboratories;

''(D) environmental and public health and safety experts;

''(E) non-proliferation experts; and

''(F) any other entities the Secretary determines appropriate.

''(d) NONDUPLICATION.—Entities may not receive funds under this program if receiving funds from another reactor demonstration program at the Department in the same fiscal year.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program under this subsection—

''(1) $530,000,000 for fiscal year 2021;

''(2) $680,000,000 for fiscal year 2022;

''(3) $680,000,000 for fiscal year 2023;

''(4) $680,000,000 for fiscal year 2024; and

''(5) $680,000,000 for fiscal year 2025.''.

(2) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594) is amended—

(A) in the items relating to sections 957, 958, and 959, by inserting ''Sec.'' before ''9'' each place it appears; and

(B) by inserting after the item relating to section 959 the following:

''Sec. 959A. Advanced nuclear reactor research, development, demonstration, and commercial application program.''.

(h) INTERNATIONAL NUCLEAR ENERGY COOPERATION.—

(1) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.), as amended by subsection (g), is further amended by adding at the end the following:

''SEC. 959B. INTERNATIONAL NUCLEAR ENERGY COOPERATION.

''(a) IN GENERAL.—The Secretary, in consultation with international regulators, shall carry out a program—

''(1) to coordinate international efforts with respect to research, development, demonstration, and commercial application of nuclear technology that supports diplomatic, nonproliferation, climate, and international economic objectives for the safe, secure, and peaceful use of such technology; and

''(2) to develop collaboration initiatives with respect to such efforts with a variety of countries through—

''(A) research and development agreements;

''(B) the development of coordinated action plans; and

''(C) new or existing multilateral cooperation commitments including—

''(i) the International Framework for Nuclear Energy Cooperation;

''(ii) the Generation IV International Forum;

''(iii) the International Atomic Energy Agency;

''(iv) the Organization for Economic Co-operation and Development Nuclear Energy Agency; and

''(v) any other international collaborative effort with respect to advanced nuclear reactor operations and safety.

''(b) REQUIREMENTS.—The program under subsection (a) shall be carried out to facilitate, to the maximum extent practicable, workshops and expert-based exchanges to engage industry, stakeholders, and foreign governments regarding international civil nuclear issues, such as training, financing, safety, and options for multinational cooperation on used nuclear fuel disposal.''.

(2) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594), as amended by subsection (g), is further amended by inserting after the item relating to section 959A the following:

''Sec. 959B. International nuclear energy cooperation.''.

SEC. 4203. NUCLEAR ENERGY BUDGET PLAN.

Section 959 of the Energy Policy Act of 2005 (42 U.S.C. 16279) is amended—

(1) by amending subsection (b) to read as follows:

''(b) BUDGET PLAN ALTERNATIVE 1.—One of the budget plans submitted under subsection (a) shall assume constant annual funding for 10 years at the appropriated level for the current fiscal year for the civilian nuclear energy research and development of the Department.''; and

(2) by inserting after subsection (d) the following:

''(e) UPDATES.—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate updated 10-year budget plans which shall identify, and provide a justification for, any major deviation from a previous budget plan submitted under this section.''.

SEC. 4204. ORGANIZATION AND ADMINISTRATION OF PROGRAMS.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.), as amended by this Act, is further amended by adding at the end of the following:

''SEC. 959C. ORGANIZATION AND ADMINISTRATION OF PROGRAMS.

''(a) COORDINATION.—In carrying out this subtitle, the Secretary shall coordinate activities, and effectively manage crosscutting research priorities across programs of the Department and other relevant Federal agencies, including the National Laboratories.

''(b) COLLABORATION.—

''(1) IN GENERAL.—In carrying out this subtitle, the Secretary shall collaborate with industry, National Laboratories, other relevant Federal agencies, institutions of higher education, including minority-serving institutions and research reactors, Tribal entities, including Alaska Native Corporations, and international bodies with relevant scientific and technical expertise.

''(2) PARTICIPATION.—To the extent practicable, the Secretary shall encourage research projects that promote collaboration between entities specified in paragraph (1).

''(c) DISSEMINATION OF RESULTS AND PUBLIC AVAILABILITY.—The Secretary shall, except to the extent protected from disclosure under section 552(b) of title 5, United States Code, publish the results of projects supported under this subtitle through Department websites, reports, databases, training materials, and industry conferences, including information discovered after the completion of such projects.

''(d) EDUCATION AND OUTREACH.—In carrying out the activities described in this subtitle, the Secretary shall support education and outreach activities to disseminate information and promote public understanding of nuclear energy.

''(e) TECHNICAL ASSISTANCE.—In carrying out this subtitle, for the purposes of supporting technical, nonhardware, and information-based advances in nuclear energy development and operations, the Secretary shall also conduct technical assistance and analysis activities, including activities that support commercial application of nuclear energy in rural, Tribal, and low-income communities.

''(f) PROGRAM REVIEW.—At least annually, all programs in this subtitle shall be subject to an annual review by the Nuclear Energy Advisory Committee of the Department or other independent entity, as appropriate.

''(g) SENSITIVE INFORMATION.—The Secretary shall not publish any information generated under this subtitle that is detrimental to national security, as determined by the Secretary.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594), as amended by this Act, is further amended by inserting after the item relating to section 959B the following:

''Sec. 959C. Organization and administration of programs.''.

Subtitle C—Defending Against Rosatom Exports

SEC. 4301. EXTENSION AND EXPANSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

(a) IN GENERAL.—Section 3112A of the USEC Privatization Act (42 U.S.C. 2297h–10a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

''(7) SUSPENSION AGREEMENT.—The term 'Suspension Agreement' has the meaning given that term in section 3102(13).'';

(2) in subsection (b)—

(A) by striking ''United States to support'' and inserting the following: ''United States—

''(1) to support'';

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(2) to reduce reliance on uranium imports in order to protect essential national security interests of the United States;

''(3) to revive and strengthen the supply chain for nuclear fuel produced and used in the United States; and

''(4) to expand production of nuclear fuel in the United States.''; and

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''After'' and inserting ''Except as provided in subparagraph (B), after'';

(II) in clause (vi), by striking ''; and'' and inserting a semicolon;

(III) in clause (vii), by striking the period at the end and inserting a semicolon; and

(IV) by adding at the end the following:

''(viii) in calendar year 2021, 596,682 kilograms;

''(ix) in calendar year 2022, 489,617 kilograms;

''(x) in calendar year 2023, 578,877 kilograms;

''(xi) in calendar year 2024, 476,536 kilograms;

''(xii) in calendar year 2025, 470,376 kilograms;

''(xiii) in calendar year 2026, 464,183 kilograms;

''(xiv) in calendar year 2027, 459,083 kilograms;

''(xv) in calendar year 2028, 344,312 kilograms;

''(xvi) in calendar year 2029, 340,114 kilograms;

''(xvii) in calendar year 2030, 332,141 kilograms;

''(xviii) in calendar year 2031, 328,862 kilograms;

''(xix) in calendar year 2032, 322,255 kilograms;

''(xx) in calendar year 2033, 317,536 kilograms;

''(xxi) in calendar year 2034, 298,088 kilograms;

''(xxii) in calendar year 2035, 294,511 kilograms;

''(xxiii) in calendar year 2036, 286,066 kilograms;

''(xxiv) in calendar year 2037, 281,272 kilograms;

''(xxv) in calendar year 2038, 277,124 kilograms;

''(xxvi) in calendar year 2039, 277,124 kilograms; and

''(xxvii) in calendar year 2040, 267,685 kilograms.'';

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following:

''(B) ADMINISTRATION.—

''(i) IN GENERAL.—The Secretary of Commerce shall administer the import limitations described in subparagraph (A) in accordance with the provisions of the Suspension Agreement, including—

''(I) the limitations on sales of enriched uranium product and separative work units plus conversion;

''(II) the requirements for natural uranium returned feed associated with sales of enrichment, or enrichment plus conversion from the Russian Federation; and

''(III) any other provisions of the Suspension Agreement.

''(ii) EFFECT OF TERMINATION OF SUSPENSION AGREEMENT.—Clause (i) shall remain in effect if the Suspension Agreement is terminated.'';

(B) in paragraph (3)—

(i) in subparagraph (A), by striking the semicolon and inserting ''; or'';

(ii) in subparagraph (B), by striking ''; or'' and inserting a period; and

(iii) by striking subparagraph (C);

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking ''reference data'' and all that follows through ''2019'' and inserting the following: ''Lower Scenario data in the 2019 report of the World Nuclear Association entitled 'The Nuclear Fuel Report: Global Scenarios for Demand and Supply Availability 2019–2040'. In each of calendar years 2023, 2029, and 2035''; and

(II) by striking ''report or a subsequent report'' and inserting ''report'';

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(iii) by inserting after subparagraph (A) the following:

''(B) REPORT REQUIRED.—Not later than one year after the date of the enactment of the Clean Economy Jobs and Innovation Act, and every 3 years thereafter, the Secretary shall submit to Congress a report that includes—

''(i) a recommendation on the use of all publicly available data to ensure accurate forecasting by scenario data to comport to actual demand for low-enriched uranium for nuclear reactors in the United States; and

''(ii) an identification of the steps to be taken to adjust the import limitations described in paragraph (2)(A) based on the most accurate scenario data.''; and

(iv) in subparagraph (D), as redesignated by clause (ii), by striking ''subparagraph (B)'' and inserting ''subparagraph (C)'';

(D) in paragraph (9), by striking ''2020'' and inserting ''2040'';

(E) in paragraph (12)(B), by inserting ''or the Suspension Agreement'' after ''the Russian HEU Agreement''; and

(F) by striking ''(2)(B)'' each place it appears and inserting ''(2)(C)''.

(b) APPLICABILITY.—The amendments made by subsection (a) apply with respect to uranium imported from the Russian Federation on or after January 1, 2021.

TITLE V—ELECTRIC GRID AND CYBERSECURITY

Subtitle A—Electric Grid

PART 1—21ST CENTURY POWER GRID

SEC. 5101. 21ST CENTURY POWER GRID.

(a) IN GENERAL.—The Secretary of Energy shall establish a program to provide financial assistance to eligible partnerships to carry out projects related to the modernization of the electric grid, including—

(1) projects for the deployment of technologies to improve monitoring of, advanced controls for, and prediction of performance of, a distribution system; and

(2) projects related to transmission system planning and operation.

(b) ELIGIBLE PROJECTS.—Projects for which an eligible partnership may receive financial assistance under subsection (a)—

(1) shall be designed to improve the resiliency, performance, or efficiency of the electric grid, while ensuring the continued provision of safe, secure, reliable, and affordable power;

(2) may be designed to deploy a new product or technology that could be used by customers of an electric utility; and

(3) shall demonstrate—

(A) secure integration and management of energy resources, including through distributed energy generation, combined heat and power, microgrids, energy storage, electric vehicles, energy efficiency, demand response, or controllable loads; or

(B) secure integration and interoperability of communications and information technologies related to the electric grid.

(c) CYBERSECURITY PLAN.—Each project carried out with financial assistance provided under subsection (a) shall include the development of a cybersecurity plan written in accordance with guidelines developed by the Secretary of Energy.

(d) PRIVACY EFFECTS ANALYSIS.—Each project carried out with financial assistance provided under subsection (a) shall include a privacy effects analysis that evaluates the project in accordance with the Voluntary Code of Conduct of the Department of Energy, commonly known as the ''DataGuard Energy Data Privacy Program'', or the most recent revisions to the privacy program of the Department.

(e) DEFINITIONS.—In this section:

(1) ELIGIBLE PARTNERSHIP.—The term ''eligible partnership'' means a partnership consisting of two or more entities, which—

(A) may include—

(i) any institution of higher education;

(ii) a National Laboratory;

(iii) a State, territory, or a local government or other public body created by or pursuant to State law;

(iv) an Indian Tribe;

(v) a Federal power marketing administration; or

(vi) an entity that develops and provides technology; and

(B) shall include at least one of any of—

(i) an electric utility;

(ii) a Regional Transmission Organization; or

(iii) an Independent System Operator.

(2) ELECTRIC UTILITY.—The term ''electric utility'' has the meaning given that term in section 3(22) of the Federal Power Act (16 U.S.C.

796(22)), except that such term does not include an entity described in subparagraph (B) of such section.

(3) FEDERAL POWER MARKETING ADMINISTRATION.—The term ''Federal power marketing administration'' means the Bonneville Power Administration, the Southeastern Power Administration, the Southwestern Power Administration, or the Western Area Power Administration.

(4) INDEPENDENT SYSTEM OPERATOR; REGIONAL TRANSMISSION ORGANIZATION.—The terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Energy to carry out this section $700,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

PART 2—TRANSMISSION PLANNING

SEC. 5111. INTERREGIONAL TRANSMISSION PLANNING REPORT.

Not later than 6 months after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report that—

(1) examines the effectiveness of interregional transmission planning processes for identifying transmission projects across regions that provide economic, reliability, or operational benefits, taking into consideration the public interest, the integrity of markets, and the protection of consumers;

(2) evaluates the current architecture of regional electricity grids (including international transmission connections of such grids) that together comprise the Nation's electricity grid, with respect to—

(A) potential growth in renewable energy generation, including energy generation from offshore wind;

(B) potential growth in electricity demand; and

(C) retirement of existing electricity generation assets;

(3) analyzes—

(A) the range of benefits that interregional transmission provides;

(B) the impact of basing transmission project approvals on a comprehensive assessment of the multiple benefits provided;

(C) synchronization of processes described in paragraph (1) among neighboring regions;

(D) how often interregional transmission planning should be completed;

(E) whether voltage, size, or cost requirements should be a factor in the approval of interregional transmission projects;

(F) cost allocation methodologies for interregional transmission projects; and

(G) current barriers and challenges to construction of interregional transmission projects; and

(4) identifies potential changes, based on the analysis under paragraph (3), to the processes described in paragraph (1) to ensure the most efficient, cost effective, and broadly beneficial transmission projects are selected for construction.

SEC. 5112. INTERREGIONAL TRANSMISSION PLANNING RULEMAKING.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Federal Energy Regulatory Commission (hereinafter in this section referred to as ''the Commission'') shall initiate a rulemaking to increase the effectiveness of the interregional transmission planning process.

(b) ASSESSMENT.—In conducting the rulemaking under subsection (a), the Commission shall assess—

(1) the effectiveness of interregional transmission planning processes for identifying transmission planning solutions that provide economic, reliability, operation, and public policy benefits, taking into consideration—

(A) the public interest;

(B) the integrity of markets; and

(C) the protection of consumers; and

(2) proposed changes to the processes described in paragraph (1) to ensure that efficient, cost-effective, and broadly beneficial transmission solutions are selected for construction, taking into consideration—

(A) the public interest;

(B) the integrity of markets;

(C) the protection of consumers; and

(D) the range of benefits that interregional transmission provides.

(c) EMPHASIS.—In conducting the rulemaking under subsection (a), the Commission shall develop rules that emphasize—

(1) the need for a solution to secure approval based on a comprehensive assessment of the multiple benefits the solution is expected to provide;

(2) that interregional benefit analyses made between multiple regions should not be subject to reassessment by a single regional entity;

(3) the importance of synchronizing the planning processes between regions that neighbor one another, including using one timeline with a single set of needs, input assumptions, and benefit metrics;

(4) that evaluation of long-term scenarios should align with the expected life of an interregional transmission solution;

(5) that transmission planning authorities should allow for the identification and joint evaluation between regions of alternative proposals;

(6) that the interregional transmission planning process should take place not less frequently than once every 3 years;

(7) the elimination of arbitrary voltage, size, or cost requirements for an interregional transmission solution; and

(8) cost allocation methodologies that reflect the multiple benefits provided by an interregional transmission solution.

(d) TIMING.—Not later than 18 months after the date of the enactment of this section, the Commission shall complete the rulemaking initiated under subsection (a).

(e) DEFINITIONS.—In this section:

(1) INTERREGIONAL BENEFIT ANALYSIS.—The term ''interregional benefit analysis'' means the identification and evaluation of the estimated benefits of interregional transmission facilities in two or more neighboring transmission planning regions to meet the needs for transmission system reliability, resilience, economic, and public policy requirements.

(2) INTERREGIONAL TRANSMISSION PLANNING PROCESS.—The term ''interregional transmission planning process'' means an evaluation of transmission needs established by public utility transmission providers in two or more neighboring transmission planning regions that are jointly evaluated by those regions.

(3) INTERREGIONAL TRANSMISSION SOLUTION.—The term ''interregional transmission solution'' means an interregional transmission facility that is evaluated by two or more neighboring transmission planning regions and determined by each of those regions for the ability of the project to efficiently or cost effectively meet regional transmission needs or to provide substantial benefits that are not addressed in either of the region's regional planning processes.

(4) TRANSMISSION PLANNING AUTHORITY.—The term ''transmission planning authority'' means the public utility transmission provider within a transmission planning region that is required to create a regional transmission plan that identifies transmission facilities and nontransmission alternatives needed to meet regional needs.

(5) TRANSMISSION PLANNING REGIONS.—The term ''transmission planning regions'' means the transmission planning regions recognized by the Commission as compliant with the final rule entitled ''Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities'' located at part 35 of title 18, Code of Federal Regulations (or any successor regulation).

Subtitle B—State Energy Security Plans

SEC. 5201. STATE ENERGY SECURITY PLANS.

(a) IN GENERAL.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended by adding at the end the following:

''SEC. 367. STATE ENERGY SECURITY PLANS.

''(a) IN GENERAL.—Federal financial assistance made available to a State under this part may be used for the implementation, review, and revision of a State energy security plan that assesses the State's existing circumstances and proposes methods to strengthen the ability of the State, in consultation with owners and operators of energy infrastructure in such State, to—

''(1) secure the energy infrastructure of the State against all physical and cybersecurity threats;

''(2) mitigate the risk of energy supply disruptions to the State and enhance the response to, and recovery from, energy disruptions; and

''(3) ensure the State has a reliable, secure, and resilient energy infrastructure.

''(b) CONTENTS OF PLAN.—A State energy security plan described in subsection (a) shall—

''(1) address all fuels, including petroleum products, other liquid fuels, coal, electricity, and natural gas, as well as regulated and unregulated energy providers;

''(2) provide a State energy profile, including an assessment of energy production, distribution, and end-use;

''(3) address potential hazards to each energy sector or system, including physical threats and cybersecurity threats and vulnerabilities;

''(4) provide a risk assessment of energy infrastructure and cross-sector interdependencies;

''(5) provide a risk mitigation approach to enhance reliability and end-use resilience; and

''(6) address multi-State, Indian Tribe, and regional coordination planning and response, and to the extent practicable, encourage mutual assistance in cyber and physical response plans.

''(c) COORDINATION.—In developing a State energy security plan under this section, the energy office of the State shall, to the extent practicable, coordinate with—

''(1) the public utility or service commission of the State;

''(2) energy providers from the private sector; and

''(3) other entities responsible for maintaining fuel or electric reliability.

''(d) FINANCIAL ASSISTANCE.—A State is not eligible to receive Federal financial assistance under this part, for any purpose, for a fiscal year unless the Governor of such State submits to the Secretary, with respect to such fiscal year—

''(1) a State energy security plan described in subsection (a) that meets the requirements of subsection (b); or

''(2) after an annual review of the State energy security plan by the Governor—

''(A) any necessary revisions to such plan; or

''(B) a certification that no revisions to such plan are necessary.

''(e) TECHNICAL ASSISTANCE.—Upon request of the Governor of a State, the Secretary may provide information and technical assistance, and other assistance, in the development, implementation, or revision of a State energy security plan.

''(f) SUNSET.—This section shall expire on October 31, 2024.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 363 of the Energy Policy and Conservation Act (42 U.S.C. 6323) is amended—

(A) by redesignating subsection (f) as subsection (e); and

(B) by striking subsection (e).

(2) TECHNICAL AMENDMENT.—Section 366(3)(B)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6326(3)(B)(i)) is amended by striking ''approved under section 367''.

(3) REFERENCE.—The item relating to ''Department of Energy—Energy Conservation'' in title II of the Department of the Interior and Related Agencies Appropriations Act, 1985 (42 U.S.C. 6323a) is amended by striking ''sections 361 through 366'' and inserting ''sections 361 through 367''.

(4) TABLE OF SECTIONS.—The table of sections for part D of title III of the Energy Policy and Conservation Act is amended by adding at the end the following:

''Sec. 367. State energy security plans.''.

Subtitle C—Research and Development

PART 1—BETTER ENERGY STORAGE TECHNOLOGY

SEC. 5301. ENERGY STORAGE.

(a) IN GENERAL.—The United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231) is amended—

(1) by redesignating subsections (l) through (p) as subsections (p) through (t), respectively; and

(2) by inserting after subsection (k) the following:

''(l) ENERGY STORAGE RESEARCH AND DEVELOPMENT PROGRAM.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish a research and development program for energy storage systems, components, and materials across multiple program offices of the Department.

''(2) REQUIREMENTS.—In carrying out the program under paragraph (1), the Secretary shall—

''(A) coordinate across all relevant program offices throughout the Department, including the Office of Electricity, the Office of Energy Efficiency and Renewable Energy, the Advanced Research Projects Agency – Energy, the Office of Science, and the Office of Cybersecurity, Energy Security, and Emergency Response;

''(B) adopt long-term cost, performance, and demonstration targets for different types of energy storage systems and for use in a variety of regions, including rural areas;

''(C) incorporate considerations of sustainability, sourcing, recycling, reuse, and disposal of materials, including critical elements, in the design of energy storage systems;

''(D) identify energy storage duration needs;

''(E) analyze the need for various types of energy storage to improve electric grid resilience and reliability; and

''(F) support research and development of advanced manufacturing technologies that have the potential to improve United States competitiveness in energy storage manufacturing.

''(3) STRATEGIC PLAN.—

''(A) IN GENERAL.—No later than 180 days after the date of enactment of this subsection, the Secretary shall develop a 5-year strategic plan identifying research, development, demonstration, and commercial application goals for the program in accordance with this section. The Secretary shall submit this plan to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

''(B) CONTENTS.—The strategic plan submitted under subparagraph (A) shall—

''(i) identify programs at the Department related to energy storage systems that support the research and development activities described in paragraph (4), and the demonstration projects under subsection (m); and

''(ii) include timelines for the accomplishment of goals developed under the plan.

''(C) UPDATES TO PLAN.—Not less frequently than once every 3 years, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an updated version of the plan under subparagraph (A).

''(4) RESEARCH AND DEVELOPMENT.—In carrying out the program established in paragraph (1), the Secretary shall focus on developing—

''(A) energy storage systems that can store energy and deliver stored energy for a minimum of 6 hours in duration to balance electricity needs over the course of a single day;

''(B) long-duration energy storage systems that can store energy and deliver stored energy for 10 to 100 hours in duration; and

''(C) energy storage systems that can store energy and deliver stored energy over several months and address seasonal scale variations in supply and demand.

''(5) TESTING AND VALIDATION.—The Secretary shall support the standardized testing and validation of energy storage systems under the program through collaboration with 1 or more National Laboratories, including the development of methodologies to independently validate energy storage technologies by—

''(A) performance of energy storage systems on the electric grid, including—

''(i) when appropriate, testing of application-driven charge and discharge protocols;

''(ii) evaluation of power capacity and energy output;

''(iii) degradation of the energy storage systems from cycling and aging;

''(iv) safety; and

''(v) reliability testing under grid duty cycles; and

''(B) prediction of lifetime metrics.

''(6) COORDINATION.—In carrying out the program established in paragraph (1), the Secretary shall coordinate with—

''(A) programs and offices that aim to increase domestic manufacturing and production of energy storage systems, such as those within the Department and within the National Institute of Standards and Technology;

''(B) other Federal agencies that are carrying out initiatives to increase energy reliability through the development of energy storage systems, including the Department of Defense; and

''(C) other stakeholders working to advance the development of commercially viable energy storage systems.

''(7) TECHNICAL ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Secretary shall provide technical assistance for commercial application of energy storage technologies to eligible entities.

''(B) TECHNICAL ASSISTANCE.—Technical assistance provided under this paragraph—

''(i) may include assistance with—

''(I) assessment of relevant technical and geographic characteristics;

''(II) interconnection of electricity storage systems with the electric grid; and

''(III) engineering design; and

''(ii) may not include assistance relating to modification of Federal, State, or local regulations or policies with respect to energy storage systems.

''(C) APPLICATIONS.—

''(i) IN GENERAL.—The Secretary shall seek applications for technical assistance under the program—

''(I) on a competitive basis; and

''(II) on a periodic basis, but not less frequently than once every 12 months.

''(ii) PRIORITIES.—In selecting eligible entities for technical assistance for commercial applications, the Secretary shall give priority to eligible entities with projects that have the greatest potential for—

''(I) strengthening the reliability and resilience of the electric grid to the impact of extreme weather events, power grid failures, and interruptions in supply of electricity;

''(II) reducing the cost of energy storage systems; or

''(III) facilitating the use of net zero emission energy resources.

''(8) PROGRAM DEFINED.—In this subsection (except in paragraph (9)), the term 'program' means the research and development program established under paragraph (1).

''(9) TECHNICAL ASSISTANCE GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish a technical assistance grant program (referred to in this subsection as the 'program') to award grants to eligible entities so that entities may seek technical assistance outside of the Department of Energy to identify, evaluate, plan, design, and develop processes to procure energy storage systems.

''(B) TECHNICAL ASSISTANCE.—

''(i) IN GENERAL.—Grants for technical assistance may be used to obtain technical assistance with one or more of the following activities relating to energy storage systems:

''(I) Identification of opportunities to use energy storage systems.

''(II) Assessment of technical and economic characteristics.

''(III) Utility interconnection.

''(IV) Permitting and siting issues.

''(V) Business planning and financial analysis.

''(VI) Engineering design.

''(VII) Carrying out initial assessment to identify net system benefits of using energy storage systems.

''(VIII) Obtaining guidance relating to methods to assess energy storage in long-term resource planning and resource procurement.

''(IX) Carrying out studies to assess the cost-benefit ratio of energy storage systems.

''(X) Obtaining guidance on complying with state and local regulatory technical standards, including siting and permitting standards.

''(ii) EXCLUSION.—The grants for technical assistance described in subparagraph (A) shall not be used for assistance relating to modification of Federal, State, or local regulations or policies relating to energy storage systems.

''(C) APPLICATIONS.—

''(i) IN GENERAL.—An eligible entity desiring grants for technical assistance under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(ii) APPLICATION PROCESS.—The Secretary shall seek applications for technical assistance grants under the program—

''(I) on a competitive basis; and

''(II) on a periodic basis, but not less frequently than once every 12 months.

''(D) PRIORITIES.—In selecting eligible entities for grants under the program, the Secretary shall give priority to eligible entities with projects that have the greatest potential for—

''(i) strengthening the reliability of energy infrastructure and the resilience of energy infrastructure to the effects of extreme weather events, power grid failures, and interruptions in supply of power;

''(ii) reducing the cost of energy storage systems;

''(iii) facilitating the use of renewable energy resources;

''(iv) minimizing environmental impact, including regulated air pollutants and greenhouse gas emissions;

''(v) improving the feasibility of microgrids or island-mode operation, particularly in rural areas, including rural areas with high energy costs; and

''(vi) maximizing local job creation.

''(E) RULES AND PROCEDURES.—

''(i) RULES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, by rule, establish procedures for carrying out the program.

''(ii) GRANTS.—Not later than 120 days after the date on which the Secretary establishes procedures for the program under subparagraph (A), the Secretary shall issue grants under this subsection.

''(F) REPORTS.—The Secretary shall submit to Congress and make available to the public—

''(i) not less frequently than once every 2 years, a report describing the performance of the program under this subsection, including a synthesis and analysis of any information the Secretary requires grant recipients to provide to the Secretary as a condition of receiving a grant; and

''(ii) on termination of the program under this subsection, an assessment of the success of, and education provided by, the measures carried out by eligible entities under the program.

''(10) DEPARTMENT OF ENERGY WORKSHOPS.—The Secretary shall hold one or more workshops during each of calendar years 2021 and 2023 to facilitate the sharing, across the Department of Energy, the States, local and Tribal governments, industry, and the academic research community, of research developments and new technical knowledge gained in carrying out this subsection.''.

(b) ENERGY STORAGE DEMONSTRATION PROGRAM.—The United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231), as amended, is further amended by inserting after subsection (l), as added by subsection (a), the following:

''(m) ENERGY STORAGE DEMONSTRATION PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall establish a competitive grant program for the demonstration of energy storage systems, as identified by the Secretary, that use either—

''(A) a single system; or

''(B) aggregations of multiple systems.

''(2) SELECTION REQUIREMENTS.—In selecting eligible entities to receive a grant under this section, the Secretary shall, to the maximum extent practicable—

''(A) ensure regional diversity among eligible entities that receive the grants, including participation by rural States and small States;

''(B) ensure that specific projects selected for grants—

''(i) expand on the existing technology demonstration programs of the Department of Energy; and

''(ii) are designed to achieve one or more of the objectives described in paragraph (3);

''(C) give consideration to proposals from eligible entities for securing energy storage through competitive procurement or contract for service; and

''(D) prioritize projects that leverage matching funds from non-Federal sources.

''(3) OBJECTIVES.—Each demonstration project selected for a grant under paragraph (1) shall include one or more of the following objectives:

''(A) To improve the security of critical infrastructure and emergency response systems.

''(B) To improve the reliability of the transmission and distribution system, particularly in rural areas, including high energy cost rural areas.

''(C) To optimize transmission or distribution system operation and power quality to defer or avoid costs of replacing or upgrading electric grid infrastructure, including transformers and substations.

''(D) To supply energy at peak periods of demand on the electric grid or during periods of significant variation of electric grid supply or demand.

''(E) To reduce peak loads of homes and businesses, particularly to defer or avoid investments in new electric grid capacity.

''(F) To advance power conversion systems to make the systems smarter, more efficient, able to communicate with other inverters, and able to control voltage.

''(G) To provide ancillary services for grid stability and management.

''(H) To integrate one or more energy resources, including renewable energy resources, at the source or away from the source.

''(I) To increase the feasibility of microgrids or island-mode operation.

''(J) To enable the use of stored energy in forms other than electricity to support the natural gas system and other industrial processes.

''(4) RESTRICTION ON USE OF FUNDS.—Any eligible entity that receives a grant under paragraph (1) may only use the grant to fund programs relating to the demonstration of energy storage systems connected to the electric grid, or that provides bi-directional energy storage capable of providing back-up energy in the event of grid outages, including energy storage systems sited behind a customer revenue meter.

''(5) COST SHARING.—In carrying out this section, the Secretary shall require cost sharing under this section in accordance with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

''(6) NO PROJECT OWNERSHIP INTEREST.—The United States shall hold no equity or other ownership interest in an energy storage system for which a grant is provided under paragraph (1).

''(7) RULES AND PROCEDURES; AWARDING OF GRANTS.—

''(A) RULES AND PROCEDURES.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall adopt rules and procedures for carrying out the grant program under subsection (m).

''(B) AWARDING OF GRANTS.—Not later than 1 year after the date on which the rules and procedures under paragraph (A) are established, the Secretary shall award the initial grants provided under this section.

''(8) REPORTS.—The Secretary shall submit to Congress and make publicly available—

''(A) not less frequently than once every 2 years for the duration of the grant program under subsection (m), a report describing the performance of the grant program, including a synthesis and analysis of any information the Secretary requires grant recipients to provide to the Secretary as a condition of receiving a grant; and

''(B) on termination of the grant program under subsection (m), an assessment of the success of, and education provided by, the measures carried out by grant recipients under the grant program.

''(9) PROGRAM DEFINED.—In this subsection, the term 'program' means the demonstration program established under paragraph (1).''.

(c) AUTHORIZATION OF APPROPRIATIONS.—The United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231) is amended, in subsection (t) (as redesignated by subsection (a)(1))—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; ''; and

(3) by adding at the end the following:

''(7) the research and development program for energy storage systems under subsection (l)—

''(A) $65,100,000 for fiscal year 2021;

''(B) $68,355,000 for fiscal year 2022;

''(C) $71,773,000 for fiscal year 2023;

''(D) $75,362,000 for fiscal year 2024; and

''(E) $79,130,000 for fiscal year 2025; and

''(8) the demonstration program for energy storage systems under subsection (m), $50,000,000 for each of fiscal years 2021 through 2025.''.

SEC. 5302. CRITICAL MINERAL RECYCLING AND REUSE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

The United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231) is amended by inserting after subsection (m), as added by section 5301(b) of this Act, the following:

''(n) CRITICAL MINERAL RECYCLING AND REUSE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) CRITICAL MINERAL.—The term 'critical mineral' means any of a class of chemical elements that have a high risk of a supply disruption and are critical to one or more new, energy-related technologies such that a shortage of such element would significantly inhibit large-scale deployment of technologies that store energy.

''(B) RECYCLING.—The term 'recycling' means the separation of critical minerals embedded within an energy storage system through physical or chemical means and reuse of those separated critical minerals in other technologies.

''(2) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish a research, development, and demonstration program of recycling of energy storage systems containing critical minerals.

''(3) RESEARCH, DEVELOPMENT, AND DEMONSTRATION.—In carrying out the program, the Secretary may focus research, development, and demonstration activities on—

''(A) technologies, process improvements, and design optimizations that facilitate and promote recycling, including—

''(i) improvement of efficiency and rates of collection of products and scrap containing critical minerals from consumer, industrial, and other waste streams;

''(ii) separation and sorting of component materials in energy storage systems containing critical minerals, including improving the recyclability of such energy storage systems;

''(iii) safe storage of energy storage systems, including reducing fire risk;

''(iv) safe transportation of energy storage systems and components; and

''(v) development of technologies to advance energy storage recycling facility infrastructure, including integrated recycling facilities that can process multiple materials;

''(B) research and development of technologies that mitigate emissions and environmental impacts that arise from recycling, including disposal of toxic reagents and byproducts related to recycling processes;

''(C) research and development of technologies to enable recycling of critical materials from batteries in electric vehicles;

''(D) research on and analysis of non-technical barriers to improving the transportation of energy storage systems containing critical minerals; and

''(E) research on technologies and methods to enable the safe disposal of energy storage systems containing critical minerals, including waste materials and components recovered during the recycling process.

''(4) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this subsection, and every 3 years thereafter, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report summarizing the activities, findings, and progress of the program.

''(o) DEFINITIONS.—For purposes of subsections (l), (m), and (n), the following definitions apply:

''(1) ENERGY STORAGE SYSTEM.—The term 'energy storage system' means equipment or facilities relating to the electric grid that are capable of absorbing and converting energy, as applicable, storing the energy for a period of time, and dispatching the energy, and that—

''(A) use mechanical, electrochemical, biochemical, or thermal processes, to convert and store energy that was generated at an earlier time for use at a later time;

''(B) use mechanical, electrochemical, biochemical, or thermal processes to convert and store energy generated from mechanical processes that would otherwise be wasted for delivery at a later time; or

''(C) convert and store energy in an electric, thermal, or gaseous state for direct use for heating or cooling at a later time in a manner that avoids the need to use electricity or other fuel sources at that later time, as is offered by grid-enabled water heaters.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State, territory, or possession of the United States;

''(B) a State energy office (as defined in section 124(a) of the Energy Policy Act of 2005 (42 U.S.C. 15821(a)));

''(C) a tribal organization (as defined in section 3765 of title 38, United States Code);

''(D) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

''(E) an electric utility, including—

''(i) a rural electric cooperative;

''(ii) a political subdivision of a State, such as a municipally owned electric utility, or any agency, authority, corporation, or instrumentality of one or more State political subdivisions; and

''(iii) an investor-owned utility; and

''(F) a private energy storage company that is a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

''(3) ISLAND MODE.—The term 'island mode' means a mode in which a distributed generator or energy storage system continues to power a location in the absence of electric power from the primary source.

''(4) MICROGRID.—The term 'microgrid' means an integrated energy system consisting of interconnected loads and distributed energy resources, including generators and energy storage systems, within clearly defined electrical boundaries that—

''(A) acts as a single controllable entity with respect to the electric grid;

''(B) can connect to, and disconnect from, the electric grid to operate in both grid-connected mode and island mode.

''(5) NATIONAL LABORATORY.—The term 'national laboratory' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).''.

PART 2—GRID MODERNIZATION RESEARCH AND DEVELOPMENT

SEC. 5321. SMART GRID REGIONAL DEMONSTRATION INITIATIVE.

Section 1304 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17384) is amended—

(1) in subsection (a), by inserting ''research, development, and demonstration'' before ''program'';

(2) in subsection (b)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Secretary shall establish a smart grid regional demonstration initiative (referred to in this subsection as the 'Initiative') composed of demonstration projects focused on cost-effective, advanced technologies for use in power grid sensing, communications, analysis, power flow control, visualization, distribution automation, industrial control systems, dynamic line rating systems, grid redesign, and the integration of distributed energy resources.''; and

(B) in paragraph (2)—

(i) in subparagraph (D), by striking ''and'' at the end;

(ii) in subparagraph (E), by striking the period and inserting ''; and''; and

(iii) by inserting at the end the following:

''(F) to encourage the commercial application of advanced distribution automation technologies that exert intelligent control over electrical grid functions at the distribution level to improve system resilience.''.

SEC. 5322. SMART GRID MODELING, VISUALIZATION, ARCHITECTURE, AND CONTROLS.

Title XIII of the Energy Independence and Security Act of 2007 (42 U.S.C. 17381 et seq.) is amended by inserting after section 1304 the following:

''SEC. 1304a. SMART GRID MODELING, VISUALIZATION, ARCHITECTURE, AND CONTROLS.

''(a) IN GENERAL.—Not later than 180 days after the enactment of this section, the Secretary shall establish a program of research, development, demonstration, and commercial application on electric grid modeling, sensing, visualization, architecture development, and advanced operation and controls.

''(b) MODELING RESEARCH AND DEVELOPMENT.—The Secretary shall support development of models of emerging technologies and systems to facilitate the secure and reliable design, planning, and operation of the electric grid for use by industry stakeholders. In particular, the Secretary shall support development of—

''(1) models to analyze and predict the effects of adverse physical and cyber events on the electric grid;

''(2) coupled models of electrical, physical, and cyber systems;

''(3) models of existing and emerging technologies being deployed on the electric grid due to projected changes in the electric generation mix and loads, for a variety of regional characteristics; and

''(4) integrated models of the communications, transmission, distribution, and other interdependent systems for existing, new, and emerging technologies.

''(c) SITUATIONAL AWARENESS RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary shall support development of computational tools and technologies to improve sensing, monitoring, and visualization of the electric grid for real-time situational awareness and decision support tools that enable improved operation of the power system, including utility, non-utility, and customer grid-connected assets, for use by industry partners.

''(2) DATA USE.—In developing visualization capabilities under this section, the Secretary shall develop tools for industry stakeholders to use to analyze data collected from advanced measurement and monitoring technologies, including data from phasor measurement units and advanced metering units.

''(3) SEVERE EVENTS.—The Secretary shall prioritize enhancing cyber and physical situational awareness of the electric grid during adverse manmade and naturally-occurring events.

''(d) ARCHITECTURE.—The Secretary shall conduct research in collaboration with industry stakeholders to develop model grid architectures to assist with wide-area transmission and distribution planning that incorporate expected changes to the modern electric grid. In supporting the development of model grid architectures, the Secretary shall—

''(1) analyze a variety of grid architecture scenarios that range from minor upgrades to existing transmission grid infrastructure to scenarios that involve the replacement of significant portions of existing transmission grid infrastructure;

''(2) analyze the effects of the increasing proliferation of renewable and other zero emissions energy generation sources, increasing use of distributed resources owned by non-utility entities, and the use of digital and automated controls not managed by grid operators;

''(3) include a variety of new and emerging distribution grid technologies, including distributed energy resources, electric vehicle charging stations, distribution automation technologies, energy storage, and renewable energy sources;

''(4) analyze the effects of local load balancing and other forms of decentralized control;

''(5) analyze the effects of changes to grid architectures resulting from modernizing electric grid systems, including communications, controls, markets, consumer choice, emergency response, electrification, and cybersecurity concerns; and

''(6) develop integrated grid architectures that incorporate system resilience for cyber, physical, and communications systems.

''(e) OPERATION AND CONTROLS RESEARCH AND DEVELOPMENT.—The Secretary shall conduct research to develop improvements to the operation and controls of the electric grid, in coordination with industry partners. Such activities shall include—

''(1) a training facility or facilities to allow grid operators to gain operational experience with advanced grid control concepts and technologies;

''(2) development of cost-effective advanced operation and control concepts and technologies, such as adaptive islanding, dynamic line rating systems, power flow controllers, network topology optimization, smart circuit breakers, intelligent load shedding, and fault-tolerant control system architectures;

''(3) development of real-time control concepts using artificial intelligence and machine learning for improved electric grid resilience; and

''(4) utilization of advanced data analytics including load forecasting, power flow modeling, equipment failure prediction, resource optimization, risk analysis, and decision analysis.

''(f) INTEROPERABILITY RESEARCH AND DEVELOPMENT.—The Secretary shall conduct research and development on tools and technologies that improve the interoperability and compatibility of new and emerging components, technologies, and systems with existing electric grid infrastructure.

''(g) COMPUTING RESOURCES AND DATA COORDINATION RESEARCH AND DEVELOPMENT.—In carrying out this section, the Secretary shall—

''(1) leverage existing computing resources at the National Laboratories;

''(2) develop voluntary standards for data taxonomies and communication protocols in coordination with public and private sector stakeholders; and

''(3) comply with section 5327 of the Clean Economy Jobs and Innovation Act.

''(h) INFORMATION SHARING.—None of the activities authorized in this section shall require private entities to share information or data with the Secretary.

''(i) RESILIENCE.—In this section, the term 'resilience' means the ability to withstand and reduce the magnitude or duration of disruptive events, which includes the capability to anticipate, absorb, adapt to, or rapidly recover from such an event, including from deliberate attacks, accidents, and naturally occurring threats or incidents.''.

SEC. 5323. HYBRID ENERGY SYSTEMS.

Title XIII of the Energy Independence and Security Act of 2007 (42 U.S.C. 17381 et. seq.), as amended, is amended by adding at the end the following:

''SEC. 1310. HYBRID ENERGY SYSTEMS.

''(a) IN GENERAL.—Not later than 180 days after the enactment of this section, the Secretary shall establish a research, development, and demonstration program to develop cost-effective hybrid energy systems, including—

''(1) development of computer modeling to design different configurations of hybrid energy systems and to optimize system operation;

''(2) research on system integration needed to plan, design, build, and operate hybrid energy systems, including interconnection requirements with the electric grid;

''(3) development of hybrid energy systems for various applications, including—

''(A) thermal energy generation and storage for buildings and manufacturing;

''(B) electricity storage coupled with energy generation;

''(C) desalination;

''(D) production of liquid and gaseous fuels; and

''(E) production of chemicals such as ammonia and ethylene;

''(4) development of testing facilities for hybrid energy systems; and

''(5) research on incorporation of various technologies for hybrid energy systems, including nuclear energy, renewable energy, storage, and carbon capture, utilization, and sequestration technologies.

''(b) STRATEGIC PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of

Representatives and the Committee on Energy and Natural Resources of the Senate a strategic plan that identifies opportunities, challenges, and standards needed for the development and commercial application of hybrid energy systems. The strategic plan shall include—

''(A) analysis of the potential benefits of development of hybrid electric systems on the electric grid;

''(B) analysis of the potential contributions of hybrid energy systems to different grid architecture scenarios;

''(C) research and development goals for various hybrid energy systems, including those identified in subsection (a);

''(D) assessment of policy and market barriers to the adoption of hybrid energy systems;

''(E) analysis of the technical and economic feasibility of adoption of different hybrid energy systems; and

''(F) a 10-year roadmap to guide the program established under subsection (a).

''(2) UPDATES.—Not less than once every 3 years for the duration of this research program, the Secretary shall submit an updated version of the strategic plan to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

''(c) PROGRAM IMPLEMENTATION.—In carrying out the research, development, demonstration, and commercial application aims of section, the Secretary shall—

''(1) implement the recommendations set forth in the strategic plan in subsection (b);

''(2) coordinate across all relevant program offices at the Department, including—

''(A) the Office of Energy Efficiency and Renewable Energy;

''(B) the Office of Nuclear Energy; and

''(C) the Office of Fossil Energy;

''(3) leverage existing programs and resources of the Department;

''(4) prioritize activities that accelerate the development of integrated electricity generation, storage, and distribution systems with net zero greenhouse gas emissions; and

''(5) comply with section 5326 of the Clean Economy Jobs and Innovation Act.

''(d) HYBRID ENERGY SYSTEM DEFINED.—The term 'hybrid energy system' means a system composed of 2 or more co-located or jointly operated sub-systems of energy generation, energy storage, or other energy technologies.''.

SEC. 5324. GRID INTEGRATION RESEARCH AND DEVELOPMENT.

(a) INTEGRATING DISTRIBUTED ENERGY RESOURCES ONTO THE ELECTRIC GRID.—Section 925(a) of the Energy Policy Act of 2005 (42 U.S.C. 16215) is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively; and

(2) by inserting after paragraph (9) the following:

''(10) the development of cost-effective technologies that enable two-way information and power flow between distributed energy resources and the electric grid;

''(11) the development of technologies and concepts that enable interoperability between distributed energy resources and other behind-the-meter devices and the electric grid;''.

(b) INTEGRATING RENEWABLE ENERGY ONTO THE ELECTRIC GRID.—Subtitle C of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16231 et seq.) is amended by adding at the end the following:

''SEC. 936. RESEARCH AND DEVELOPMENT INTO INTEGRATING RENEWABLE ENERGY ONTO THE ELECTRIC GRID.

''(a) IN GENERAL.—Not later than 180 days after the enactment of this section, the Secretary shall establish a research, development, and demonstration program on technologies that enable integration of renewable energy generation sources onto the electric grid across multiple program offices of the Department. The program shall include—

''(1) forecasting for predicting generation from variable renewable energy sources;

''(2) development of cost-effective low-loss, long-distance transmission lines; and

''(3) development of cost-effective advanced technologies for variable renewable generation sources to provide grid services.

''(b) COORDINATION.—In carrying out this program, the Secretary shall—

''(1) coordinate across all relevant program offices at the Department to achieve the goals established in this section, including the Office of Electricity; and

''(2) comply with section 5326 of the Clean Economy Jobs and Innovation Act.

''(c) ADOPTION OF TECHNOLOGIES.—In carrying out this section, the Secretary shall consider barriers to adoption and commercial application of technologies that enable integration of renewable energy sources onto the electric grid, including cost and other economic barriers, and shall coordinate with relevant entities to reduce these barriers.''.

(c) INTEGRATING ELECTRIC VEHICLES ONTO THE ELECTRIC GRID.—Subtitle B of title I of the Energy Independence and Security Act of 2007 (42 U.S.C. 17011 et seq.) is amended by adding at the end the following:

''SEC. 137. RESEARCH AND DEVELOPMENT INTO INTEGRATING ELECTRIC VEHICLES ONTO THE ELECTRIC GRID.

''(a) IN GENERAL.—The Secretary shall establish a research, development, and demonstration program to advance the integration of electric vehicles, including plug-in hybrid electric vehicles, onto the electric grid.

''(b) VEHICLES-TO-GRID INTEGRATION ASSESSMENT REPORT.—Not later than 1 year after the enactment of this section, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of a study that examines the research, development, and demonstration opportunities, challenges, and standards needed for integrating electric vehicles onto the electric grid.

''(1) REPORT REQUIREMENTS.—The report shall include—

''(A) an evaluation of the use of electric vehicles to maintain the reliability of the electric grid, including—

''(i) the use of electric vehicles for demand response, load shaping, emergency power, and frequency regulation; and

''(ii) the potential for the reuse of spent electric vehicle batteries for stationary grid storage;

''(B) the impact of grid integration on electric vehicles, including—

''(i) the impact of bi-directional electricity flow on battery degradation; and

''(ii) the implications of the use of electric vehicles for grid services on original equipment manufacturer warranties;

''(C) the impacts to the electric grid of increased penetration of electric vehicles, including—

''(i) the distribution grid infrastructure needed to support an increase in charging capacity;

''(ii) strategies for integrating electric vehicles onto the distribution grid while limiting infrastructure upgrades;

''(iii) the changes in electricity demand over a 24-hour cycle due to electric vehicle charging behavior;

''(iv) the load increases expected from electrifying the transportation sector;

''(v) the potential for customer incentives and other managed charging stations strategies to shift charging off-peak;

''(vi) the technology needed to achieve bi-directional power flow on the distribution grid; and

''(vii) the implementation of smart charging techniques;

''(D) research on the standards needed to integrate electric vehicles with the grid, including communications systems, protocols, and charging stations, in collaboration with the National Institute for Standards and Technology;

''(E) the cybersecurity challenges and needs associated with electrifying the transportation sector; and

''(F) an assessment of the feasibility of adopting technologies developed under the program established under subsection (a) at Department facilities.

''(2) RECOMMENDATIONS.—As part of the Vehicles-to-Grid Integration Assessment Report, the Secretary shall develop a 10-year roadmap to guide the research, development, and demonstration program to integrate electric vehicles onto the electric grid.

''(3) CONSULTATION.—In developing this report, the Secretary shall consult with relevant stakeholders, including—

''(A) electric vehicle manufacturers;

''(B) electric utilities;

''(C) public utility commissions;

''(D) vehicle battery manufacturers;

''(E) electric vehicle supply equipment manufacturers;

''(F) charging infrastructure manufacturers;

''(G) the National Laboratories; and

''(H) other Federal agencies, as the Secretary determines appropriate.

''(4) UPDATES.—The Secretary shall update the report required under this section every 3 years for the duration of the program under section (a) and shall submit the updated report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

''(c) PROGRAM IMPLEMENTATION.—In carrying out the research, development, demonstration, and commercial application aims of section, the Secretary shall—

''(1) implement the recommendations set forth in the report in subsection (b);

''(2) coordinate across all relevant program offices at the Department to achieve the goals established in this section, including the Office of Electricity; and

''(3) comply with section 5326 of the Clean Economy Jobs and Innovation Act.

''(d) TESTING CAPABILITIES.—The Secretary shall coordinate with the National Laboratories to develop testing capabilities for the evaluation, rapid prototyping, and optimization of technologies enabling integration of electric vehicles onto the electric grid.''.

(d) RESEARCH AND DEVELOPMENT ON INTEGRATING BUILDINGS ONTO THE ELECTRIC GRID.—Subtitle B of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081 et seq.) is amended by adding at the end the following:

''SEC. 426. ADVANCED INTEGRATION OF BUILDINGS ONTO THE ELECTRIC GRID.

''(a) BUILDINGS-TO-GRID INTEGRATION REPORT.—Not later than 1 year after the enactment of this section, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of a study that examines the research, development, and demonstration opportunities, challenges, and standards needed to enable components of commercial and residential buildings to serve as dynamic energy loads on and resources for the electric grid.

''(1) REPORT REQUIREMENTS.—The report shall include—

''(A) an assessment of the technologies needed to enable building components as dynamic loads on and resources for the electric grid, including how such technologies can be—

''(i) incorporated into new commercial and residential buildings; and

''(ii) retrofitted in older buildings;

''(B) guidelines for the design of new buildings and building components to enable modern grid interactivity and improve energy efficiency;

''(C) an assessment of barriers to the adoption by building owners of advanced technologies enabling greater integration of building components onto the electric grid; and

''(D) an assessment of the feasibility of adopting advanced building technologies at Department facilities.

''(2) RECOMMENDATIONS.—As part of the report, the Secretary shall develop a 10-year roadmap to guide the research, development, and demonstration program to enable components of commercial and residential buildings to serve as dynamic energy loads on and resources for the electric grid.

''(3) UPDATES.—The Secretary shall update the report required under this section every 3 years for the duration of the program under subsection (a) and shall submit the updated report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

''(b) PROGRAM IMPLEMENTATION.—In carrying out this section, the Secretary shall—

''(1) implement the recommendations from the report in subsection (a);

''(2) coordinate across all relevant program offices at the Department to achieve the goals established in this section, including the Office of Electricity; and

''(3) comply with section 5326 of the Clean Economy Jobs and Innovation Act.''.

SEC. 5325. INDUSTRY ALLIANCE.

Title XIII of the Energy Independence and Security Act of 2007 (42 U.S.C. 17381 et. seq.), as amended, is amended by adding at the end the following:

''SEC. 1311. INDUSTRY ALLIANCE.

''(a) IN GENERAL.—Not later than 180 days after the enactment of this section, the Secretary shall establish an advisory committee (to be known as the 'Industry Alliance') to advise the Secretary on the authorization of research, development, and demonstration projects under sections 1304 and 1304a.

''(b) MEMBERSHIP.—The Industry Alliance shall be composed of members selected by the Secretary that, as a group, are broadly representative of United States electric grid research, development, infrastructure, operations, and manufacturing expertise.

''(c) RESPONSIBILITY.—The Secretary shall annually solicit from the Industry Alliance—

''(1) comments to identify grid modernization technology needs;

''(2) an assessment of the progress of the research activities on grid modernization; and

''(3) assistance in annually updating grid modernization technology roadmaps.''.

SEC. 5326. COORDINATION OF EFFORTS.

In carrying out the amendments made by this part, the Secretary shall coordinate with relevant entities to the maximum extent practicable, including—

(1) electric utilities;

(2) private sector entities;

(3) representatives of all sectors of the electric power industry;

(4) transmission organizations;

(5) transmission owners and operators;

(6) distribution organizations;

(7) distribution asset owners and operators;

(8) State, tribal, local, and territorial governments and regulatory authorities;

(9) academic institutions;

(10) the National Laboratories;

(11) other Federal agencies;

(12) nonprofit organizations;

(13) the Federal Energy Regulatory Commission;

(14) the North American Reliability Corporation;

(15) independent system operators; and

(16) programs and program offices at the Department.

SEC. 5327. TECHNICAL AMENDMENTS; AUTHORIZATION OF APPROPRIATIONS.

(a) TECHNICAL AMENDMENTS.—

(1) ENERGY INDEPENDENCE AND SECURITY ACT OF 2007.—Section 1(b) of the Energy Independence and Security Act of 2007 is amended in the table of contents—

(A) by inserting the following after the item related to section 136:

''Sec. 137. Research and development into integrating electric vehicles onto the electric grid.'';

(B) by inserting the following after the item related to section 425:

''Sec. 426. Advanced integration of buildings onto the electric grid.'';

(C) by inserting the following after the item related to section 1304:

''Sec. 1304a. Smart grid modeling, visualization, architecture, and controls.''; and

(D) by inserting the following after the item related to section 1309:

''Sec. 1310. Hybrid energy systems.

''Sec. 1311. Industry Alliance.''.

(2) ENERGY POLICY ACT OF 2005.—Section 1(b) of the Energy Policy Act of 2005 is amended in the table of contents by inserting the following after the item related to section 935:

''Sec. 936. Research and development into integrating renewable energy onto the electric grid.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) to carry out sections 5325 and 5326 and the amendments made by sections 5321 and 5322 of this part—

(A) $175,000,000 for fiscal year 2021;

(B) $180,000,000 for fiscal year 2022;

(C) $185,000,000 for fiscal year 2023;

(D) $190,000,000 for fiscal year 2024; and

(E) $199,500,000 for fiscal year 2025;

(2) to carry out section 5323 of this part—

(A) $21,000,000 for fiscal year 2021;

(B) $22,050,000 for fiscal year 2022;

(C) $23,153,000 for fiscal year 2023;

(D) $24,310,000 for fiscal year 2024; and

(E) $25,525,000 for fiscal year 2025; and

(3) to carry out section 5324 of this part—

(A) $52,500,000 for fiscal year 2021;

(B) $55,152,000 for fiscal year 2022;

(C) $57,882,000 for fiscal year 2023;

(D) $60,775,000 for fiscal year 2024; and

(E) $63,814,000 for fiscal year 2025.

PART 3—GRID SECURITY RESEARCH AND DEVELOPMENT

SEC. 5341. AMENDMENT TO ENERGY INDEPENDENCE AND SECURITY ACT OF 2007.

(a) IN GENERAL.—Title XIII of the Energy Independence and Security Act of 2007 (42 U.S.C. 17381 et seq.), as amended by this Act, is further amended by adding at the end the following:

''SEC. 1312. ENERGY SECTOR SECURITY RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

''(a) IN GENERAL.—The Secretary, in coordination with appropriate Federal agencies, the Electricity Subsector Coordinating Council, the Electric Reliability Organization, State, tribal, local, and territorial governments, the private sector, and other relevant stakeholders, shall carry out a research, development, and demonstration program to protect the electric grid and energy systems, including assets connected to the distribution grid, from cyber and physical attacks by increasing the cyber and physical security capabilities of the energy sector and accelerating the development of relevant technologies and tools.

''(b) DEPARTMENT OF ENERGY.—As part of the initiative described in subsection (a), the Secretary shall award research, development, and demonstration grants to—

''(1) identify cybersecurity risks to the electricity sector, energy systems, and energy infrastructure;

''(2) develop methods and tools to rapidly detect cyber intrusions and cybersecurity incidents, including through the use of data and big data analytics techniques, such as intrusion detection, and security information and event management systems, to validate and verify system behavior;

''(3) assess emerging cybersecurity capabilities that could be applied to energy systems and develop technologies that integrate cybersecurity features and procedures into the design and development of existing and emerging grid technologies, including renewable energy, storage, and demand-side management technologies;

''(4) identify existing vulnerabilities in intelligent electronic devices, advanced analytics systems, and information systems;

''(5) work with relevant entities to develop technologies or concepts that build or retrofit cybersecurity features and procedures into—

''(A) information and energy management system devices, components, software, firmware, and hardware, including distributed control and management systems, and building management systems;

''(B) data storage systems, data management systems, and data analysis processes;

''(C) automated- and manually-controlled devices and equipment for monitoring and stabilizing the electric grid;

''(D) technologies used to synchronize time and develop guidance for operational contingency plans when time synchronization technologies, are compromised;

''(E) power system delivery and end user systems and devices that connect to the grid, including—

''(i) meters, phasor measurement units, and other sensors;

''(ii) distribution automation technologies, smart inverters, and other grid control technologies;

''(iii) distributed generation, energy storage, and other distributed energy technologies;

''(iv) demand response technologies;

''(v) home and building energy management and control systems;

''(vi) electric and plug-in hybrid vehicles and electric vehicle charging systems; and

''(vii) other relevant devices, software, firmware, and hardware; and

''(F) the supply chain of electric grid management system components;

''(6) develop technologies that improve the physical security of information systems, including remote assets;

''(7) integrate human factors research into the design and development of advanced tools and processes for dynamic monitoring, detection, protection, mitigation, response, and cyber situational awareness;

''(8) evaluate and understand the potential consequences of practices used to maintain the cybersecurity of information systems and intelligent electronic devices;

''(9) develop or expand the capabilities of existing cybersecurity test beds to simulate impacts of cyber attacks and combined cyber-physical attacks on information systems and electronic devices, including by increasing access to existing and emerging test beds for cooperative utilities, utilities owned by a political subdivision of a State, such as municipally-owned electric utilities, and other relevant stakeholders; and

''(10) develop technologies that reduce the cost of implementing effective cybersecurity technologies and tools, including updates to these technologies and tools, in the energy sector.

''(c) NATIONAL SCIENCE FOUNDATION.—The National Science Foundation, in coordination with other Federal agencies, shall through its cybersecurity research and development programs—

''(1) support basic research to advance knowledge, applications, technologies, and tools to strengthen the cybersecurity of information systems that support the electric grid and energy systems, including interdisciplinary research in—

''(A) evolutionary systems, theories, mathematics, and models;

''(B) economic and financial theories, mathematics, and models; and

''(C) big data analytical methods, mathematics, computer coding, and algorithms; and

''(2) support cybersecurity education and training focused on information systems for the electric grid and energy workforce, including through the Advanced Technological Education program, the Cybercorps program, graduate research fellowships, and other appropriate programs.

"SEC. 1313. GRID RESILIENCE AND EMERGENCY RESPONSE.

''(a) IN GENERAL.—Not later than 180 days after the enactment of this section, the Secretary, in coordination with appropriate Federal agencies, shall establish a research, development, and demonstration program to enhance resilience and strengthen emergency response and management pertaining to the energy sector.

''(b) GRANTS.—The Secretary shall award grants to eligible entities under subsection (c) on a competitive basis to conduct research and development with the purpose of improving the resilience and reliability of electric grid by—

''(1) developing methods to improve community and governmental preparation for and emergency response to large-area, long-duration electricity interruptions, including through the use of energy efficiency, storage, and distributed generation technologies;

''(2) developing tools to help utilities and communities ensure the continuous delivery of electricity to critical facilities;

''(3) developing tools to improve coordination between utilities and relevant Federal agencies to enable communication, information-sharing, and situational awareness in the event of a physical or cyber-attack on the electric grid;

''(4) developing technologies and capabilities to withstand and address the current and projected impact of the changing climate on energy sector infrastructure, including extreme weather events and other natural disasters;

''(5) developing technologies capable of early detection of malfunctioning electrical equipment on the transmission and distribution grid, including detection of spark ignition causing wildfires and risks of vegetation contact;

''(6) assessing upgrades and additions needed to energy sector infrastructure due to projected changes in the energy generation mix and energy demand; and

''(7) upgrading tools used to estimate the costs of outages longer than 24 hours.

''(8) developing tools and technologies to assist with the planning, safe execution of, and safe and timely restoration of power after emergency power shut offs, such as those conducted to reduce risks of wildfires started by grid infrastructure.

''(c) ELIGIBLE ENTITIES.—The entities eligible to receive grants under this section include—

''(1) an institution of higher education, including a historically Black college or university and a minority-serving institution.

''(2) a nonprofit organization;

''(3) a National Laboratory;

''(4) a unit of State, local, or tribal government;

''(5) an electric utility or electric cooperative;

''(6) a retail service provider of electricity;

''(7) a private commercial entity;

''(8) a partnership or consortium of 2 or more entities described in subparagraphs (1) through (7); and

''(9) any other entities the Secretary deems appropriate.

''(d) RELEVANT ACTIVITIES.—Grants awarded under subsection (b) shall include funding for research and development activities related to the purpose described in subsection (b), such as—

''(1) development of technologies to use distributed energy resources, such as solar photovoltaics, energy storage systems, electric vehicles, and microgrids, to improve grid and critical end-user resilience;

''(2) analysis of non-technical barriers to greater integration and use of technologies on the distribution grid;

''(3) analysis of past large-area, long-duration electricity interruptions to identify common elements and best practices for electricity restoration, mitigation, and prevention of future disruptions;

''(4) development of advanced monitoring, analytics, operation, and controls of electric grid systems to improve electric grid resilience;

''(5) analysis of technologies, methods, and concepts that can improve community resilience and survivability of frequent or long-duration power outages;

''(6) development of methodologies to maintain cybersecurity during restoration of energy sector infrastructure and operation;

''(7) development of advanced power flow control systems and components to improve electric grid resilience; and

''(8) any other relevant activities determined by the Secretary.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary, in consultation with relevant Federal agencies, shall provide technical assistance to eligible entities for the commercial application of technologies to improve the resilience of the electric grid and commercial application of technologies to help entities develop plans for preventing and recovering from various power outage scenarios at the local, regional, and State level.

''(2) TECHNICAL ASSISTANCE PROGRAM.—The commercial application technical assistance program established in paragraph (1) shall include assistance to eligible entities for—

''(A) the commercial application of technologies developed from the grant program established in subsection (b), including cooperative utilities and utilities owned by a political subdivision of a State, such as municipally-owned electric utilities;

''(B) the development of methods to strengthen or otherwise mitigate adverse impacts on electric grid infrastructure against natural hazards;

''(C) the use of Department data and modeling tools for various purposes;

''(D) a resource assessment and analysis of future demand and distribution requirements, including development of advanced grid architectures and risk analysis; and

''(E) the development of tools and technologies to coordinate data across relevant entities to promote resilience and wildfire prevention in the planning, design, construction, operation, and maintenance of transmission infrastructure;

''(F) analysis to predict the likelihood of extreme weather events to inform the planning, design, construction, operation, and maintenance of transmission infrastructure in consultation with the National Oceanic and Atmospheric Administration; and

''(G) the commercial application of relevant technologies, such as distributed energy resources, microgrids, or other energy technologies, to establish backup power for users or facilities affected by emergency power shutoffs.

''(3) ELIGIBLE ENTITIES.—The entities eligible to receive technical assistance for commercial application of technologies under this section include—

''(A) representatives of all sectors of the electric power industry, including electric utilities, trade organizations, and transmission and distribution system organizations, owners, and operators;

''(B) State and local governments and regulatory authorities, including public utility commissions;

''(C) tribal and Alaska Native governmental entities;

''(D) partnerships among entities under subparagraphs (A) through (C);

''(E) regional partnerships; and

''(F) any other entities the Secretary deems appropriate.

''(4) AUTHORITY.—Nothing in this section shall authorize the Secretary to require any entity to adopt any model, tool, technology, plan, analysis, or assessment.

"SEC. 1314. BEST PRACTICES AND GUIDANCE DOCUMENTS FOR ENERGY SECTOR CYBERSECURITY RESEARCH.

''(a) IN GENERAL.—The Secretary, in coordination with appropriate Federal agencies, the Electricity Subsector Coordinating Council, standards development organizations, State, tribal, local, and territorial governments, the private sector, public utility commissions, and other relevant stakeholders, shall coordinate the development of guidance documents for research, development, and demonstration activities to improve the cybersecurity capabilities of the energy sector through participating agencies. As part of these activities, the Secretary, in consultation with relevant Federal agencies, shall—

''(1) facilitate stakeholder involvement to update—

''(A) the Roadmap to Achieve Energy Delivery Systems Cybersecurity;

''(B) the Cybersecurity Procurement Language for Energy Delivery Systems, including developing guidance for—

''(i) contracting with third parties to conduct vulnerability testing for information systems used across the energy production, delivery, storage, and end use systems;

''(ii) contracting with third parties that utilize transient devices to access information systems; and

''(iii) managing supply chain risks; and

''(C) the Electricity Subsector Cybersecurity Capability Maturity Model, including the development of metrics to measure changes in cybersecurity readiness; and

''(2) develop voluntary guidance to improve digital forensic analysis capabilities, including—

''(A) developing standardized terminology and monitoring processes; and

''(B) utilizing human factors research to develop more effective procedures for logging incident events; and

''(3) develop a mechanism to anonymize, aggregate, and share the testing results from cybersecurity test beds to facilitate technology improvements by public and private sector researchers.

''(b) BEST PRACTICES.—The Secretary, in collaboration with the Director of the National Institute of Standards and Technology, the Director of the Cybersecurity and Infrastructure Security Agency, and other appropriate Federal agencies, shall convene relevant stakeholders and facilitate the development of—

''(1) consensus-based best practices to improve cybersecurity for—

''(A) emerging energy technologies;

''(B) distributed generation and storage technologies, and other distributed energy resources;

''(C) electric vehicles and electric vehicle charging stations; and

''(D) other technologies and devices that connect to the electric grid;

''(2) recommended cybersecurity designs and technical requirements that can be used by the private sector to design and build interoperable cybersecurity features into technologies that connect to the electric grid, including networked devices and components on distribution systems; and

''(3) technical analysis that can be used by the private sector in developing best practices for test beds and test bed methodologies that will enable reproducible testing of cybersecurity protections for information systems, electronic devices, and other relevant components, software, and hardware across test beds.

''(c) REGULATORY AUTHORITY.—None of the activities authorized in this section shall be construed to authorize regulatory actions. Additionally, the voluntary standards developed under this section shall not duplicate or conflict with mandatory reliability standards.

"SEC. 1315. VULNERABILITY TESTING AND TECHNICAL ASSISTANCE TO IMPROVE CYBERSECURITY.

''The Secretary shall—

''(1) coordinate with appropriate Federal agencies and energy sector asset owners and operators, leveraging the research facilities and expertise of the National Laboratories, to assist entities in developing testing capabilities by—

''(A) utilizing a range of methods to identify vulnerabilities in physical and cyber systems;

''(B) developing cybersecurity risk assessment tools and providing analyses and recommendations to participating stakeholders; and

''(C) working with appropriate Federal agencies and stakeholders to develop methods to share anonymized and aggregated test results to assist relevant stakeholders in the energy sector, researchers, and the private sector to advance cybersecurity efforts, technologies, and tools;

''(2) in coordination with appropriate Federal agencies, collaborate with relevant stakeholders, including public utility commissions, to—

''(A) identify information, research, staff training, and analytical tools needed to evaluate cybersecurity issues and challenges in the energy sector; and

''(B) facilitate the sharing of information and the development of tools identified under subparagraph (A);

''(3) coordinate with tribal governments to identify information, research, and analysis tools needed by tribal governments to increase the cybersecurity of energy assets within their jurisdiction.

"SEC. 1316. EDUCATION AND WORKFORCE TRAINING RESEARCH AND STANDARDS.

''(a) IN GENERAL.—The Secretary shall support the development of an energy sector cybersecurity workforce through a program that—

''(1) facilitates collaboration between undergraduate and graduate students, researchers at the National Laboratories, and the civilian energy sector;

''(2) prioritizes science and technology in areas relevant to the mission of the Department of Energy through the design and application of cybersecurity technologies for the energy sector;

''(3) develops, or facilitates private sector development of, voluntary cybersecurity training and retraining standards, lessons, and recommendations for the energy sector that minimize duplication of cybersecurity compliance training programs; and

''(4) maintains a public database of energy sector cybersecurity education, training, and certification programs.

''(b) GRID RESILIENCE TECHNOLOGY TRAINING.—The Secretary shall support the development of the grid workforce through a training program that prioritizes activities that enhance the resilience of the electric grid and energy sector infrastructure, including training on the use of tools, technologies, and methods developed under the grant program established in section 1313(b).

''(c) COLLABORATION.—In carrying out the program authorized in subsection (a) and (b), the Secretary shall coordinate with appropriate Federal agencies and leverage programs and activities carried out across the Department of Energy, other relevant Federal agencies, institutions of higher education, and other appropriate entities best suited to provide national leadership on cybersecurity and grid resilience-related issues.

"SEC. 1317. INTERAGENCY COORDINATION AND STRATEGIC PLAN FOR ENERGY SECTOR CYBERSECURITY RESEARCH.

''(a) DUTIES.—The Secretary, in coordination with appropriate Federal agencies and the Energy Sector Government Coordinating Council, shall—

''(1) review the most recent versions of the Roadmap to Achieve Energy Delivery Systems Cybersecurity and the Multi-Year Program Plan for Energy Sector Cybersecurity to identify crosscutting energy sector cybersecurity research needs and opportunities for collaboration among Federal agencies and other relevant stakeholders;

''(2) identify interdisciplinary research, technology, and tools that can be applied to cybersecurity challenges in the energy sector;

''(3) identify technology transfer opportunities to accelerate the development and commercial application of novel cybersecurity technologies, systems, and processes in the energy sector; and

''(4) develop a coordinated Interagency Strategic Plan for research to advance cybersecurity capabilities used in the energy sector that builds on the Roadmap to Achieve Energy Delivery Systems in Cybersecurity and the Multi-Year Program Plan for Energy Sector Cybersecurity.

''(b) INTERAGENCY STRATEGIC PLAN.—

''(1) SUBMITTAL.—The Interagency Strategic Plan developed under subsection (a)(4) shall be submitted to Congress and made public within 12 months after the date of enactment of this section.

''(2) CONTENTS.—The Interagency Strategic Plan shall include—

''(A) an analysis of how existing cybersecurity research efforts across the Federal Government are advancing the goals of the Roadmap to Achieve Energy Delivery Systems Cybersecurity and the Multi-Year Program Plan for Energy Sector Cybersecurity;

''(B) recommendations for research areas that may advance the cybersecurity of the energy sector;

''(C) an overview of existing and proposed public and private sector research efforts that address the topics outlined in paragraph (3); and

''(D) an overview of needed support for workforce training in cybersecurity for the energy sector.

''(3) CONSIDERATIONS.—In developing the Interagency Strategic Plan, the Secretary, in coordination with appropriate Federal agencies and the Energy Sector Government Coordinating Council, shall consider—

''(A) opportunities for human factors research to improve the design and effectiveness of cybersecurity devices, technologies, tools, processes, and training programs;

''(B) contributions of other disciplines to the development of innovative cybersecurity procedures, devices, components, technologies, and tools;

''(C) opportunities for technology transfer programs to facilitate private sector development of cybersecurity procedures, devices, components, technologies, and tools for the energy sector; and

''(D) broader applications of the work done by relevant Federal agencies to advance the cybersecurity of information systems and data analytics systems for the energy sector.

''(c) PARTICIPATION.—For the purposes of carrying out this section, the Energy Sector Government Coordinating Council shall include representatives from Federal agencies with expertise in the energy sector, information systems, data analytics, cyber and physical systems, engineering, human factors research, human-machine interfaces, high performance computing, big data and data analytics, or other disciplines considered appropriate by the Council Chair.

"SEC. 1318. REPORT TO CONGRESS.

''(a) STUDY.—The Secretary, in collaboration with appropriate Federal agencies and energy sector stakeholders, in order to provide recommendations for additional research, development, demonstration, and commercial application activities, shall—

''(1) analyze physical and cyber attacks on infrastructure related to energy functions in the energy sector and identify cost-effective opportunities to improve physical and cyber security for such infrastructure; and

''(2) examine the risks associated with increasing penetration of digital technologies in grid networks, particularly on the distribution grid.

''(b) CONTENT.—The study shall—

''(1) analyze processes, operational procedures, and other factors common among cyber attacks;

''(2) identify areas where human behavior plays a critical role in maintaining or compromising the security of a system;

''(3) recommend—

''(A) changes to the design of devices, human-machine interfaces, technologies, tools, processes, or procedures to optimize security that do not require a change in human behavior; and

''(B) training techniques to increase the capacity of employees to actively identify, prevent, or neutralize the impact of cyber attacks;

''(4) evaluate existing engineering and technical design criteria and guidelines that incorporate human factors research findings, and recommend criteria and guidelines for cybersecurity tools that can be used to develop display systems for cybersecurity monitoring, such as alarms, user-friendly displays, and layouts;

''(5) evaluate the cybersecurity risks and benefits of various design and architecture options for energy sector systems, networked grid systems and components, and automation systems, including consideration of—

''(A) designs that include both digital and analog control devices and technologies;

''(B) different communication technologies used to transfer information and data between control system devices, technologies, and system operators;

''(C) automated and human-in-the-loop devices and technologies;

''(D) programmable versus nonprogrammable devices and technologies;

''(E) increased redundancy using dissimilar cybersecurity technologies; and

''(F) grid architectures that use autonomous functions to limit control vulnerabilities; and

''(6) recommend methods or metrics to document changes in risks associated with system designs and architectures.

''(c) CONSULTATION.—In conducting the study, the Secretary shall consult with energy sector stakeholders, academic researchers, the private sector, and other relevant stakeholders.

''(d) REPORT.—Not later than 24 months after the date of enactment of this section, the Secretary shall submit the study to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

"SEC. 1319. DEFINITIONS.

''For purposes of sections 1312 through 1318:

''(1) BIG DATA.—The term 'big data' means datasets that require advanced analytical methods for their transformation into useful information.

''(2) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically Black college or university' has the meaning given the term 'part B institution' in section 322(2) of the Higher Education Act of 1965 (29 U.S.C. 106(2)).

''(3) HUMAN FACTORS RESEARCH.—The term 'human factors research' means research on human performance in social and physical environments, and on the integration and interaction of humans with physical systems and computer hardware and software.

''(4) HUMAN-MACHINE INTERFACES.—The term 'human-machine interfaces' means technologies that present information to an operator or user about the state of a process or system, or accept human instructions to implement an action, including visualization displays such as a graphical user interface.

''(5) MINORITY-SERVING INSTITUTION.—The term 'minority-serving institution' means an eligible institution under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(6) NATIONAL LABORATORY.—The term 'national laboratory' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(7) SECURITY VULNERABILITY.—The term 'security vulnerability' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

''(8) TRANSIENT DEVICES.—The term 'transient devices' means removable media, including floppy disks, compact disks, USB flash drives, external hard drives, mobile devices, and other devices that utilize wireless connections.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the amendments made by subsection (a)—

(1) $150,000,000 for fiscal year 2021;

(2) $157,500,000 for fiscal year 2022;

(3) $165,375,000 for fiscal year 2023;

(4) $173,645,000 for fiscal year 2024; and

(5) $182,325,000 for fiscal year 2025.

SEC. 5342. CRITICAL INFRASTRUCTURE RESEARCH AND CONSTRUCTION.

(a) IN GENERAL.—The Secretary of Energy shall carry out a program of research, development, and demonstration of technologies and tools to help ensure the resilience and security of critical infrastructure.

(b) COORDINATION.—In carrying out the program under subsection (a), the Secretary shall leverage expertise and resources of and coordinate with—

(1) relevant programs and activities across the Department of Energy; and

(2) other relevant Federal agencies.

(c) ENERGY SECTOR CRITICAL INFRASTRUCTURE TEST FACILITY.—In carrying out the program under subsection (a), the Secretary, in consultation with other appropriate Federal agencies, shall establish and operate an Energy Sector Critical Infrastructure Test Facility (referred to in this section as the ''Test Facility'') that allows for scalable physical and cyber performance testing to be conducted on industry-scale energy sector critical infrastructure systems. This facility shall include a focus on—

(1) cybersecurity test beds; and

(2) electric grid test beds.

(d) SELECTION.—The Secretary shall select the Test Facility under this section on a competitive, merit-reviewed basis. The Secretary shall consider applications from National Laboratories, institutions of higher education, multi-institutional collaborations, and other appropriate entities.

(e) DURATION.—The Test Facility established under this section shall receive support for a period of not more than 5 years, subject to the availability of appropriations.

(f) RENEWAL.—Upon the expiration of any period of support of the Test Facility, the Secretary may renew support for the Test Facility, on a merit-reviewed basis, for a period of not more than 5 years.

(g) TERMINATION.—Consistent with the existing authorities of the Department, the Secretary may terminate the Test Facility for cause during the performance period.

(h) CRITICAL INFRASTRUCTURE DEFINED.—The term ''critical infrastructure'' means infrastructure that the Secretary determines to be vital to socioeconomic activities such that, if destroyed or damaged, such destruction or damage could cause substantial disruption to such socioeconomic activities.

SECTION 5343. CONFORMING AMENDMENT.

Section 1(b) of the Energy Independence and Security Act of 2007 is amended in the table of contents by adding after the matter relating to section 1311 (as added by this Act) the following:

''Sec. 1312. Energy sector security research, development, and demonstration program.

''Sec. 1313. Grid resilience and emergency response.

''Sec. 1314. Best practices and guidance documents for energy sector cybersecurity research.

''Sec. 1315. Vulnerability testing and technical assistance to improve cybersecurity.

''Sec. 1316. Education and workforce training research and standards.

''Sec. 1317. Interagency coordination and strategic plan for energy sector cybersecurity research.

''Sec. 1318. Report to Congress.

''Sec. 1319. Definitions.''.

Subtitle D—Tribal Energy

SEC. 5401. INDIAN ENERGY.

(a) DEFINITION OF INDIAN LAND.—Section 2601(2) of the Energy Policy Act of 1992 (25 U.S.C. 3501(2)) is amended—

(1) in subparagraph (B)(iii), by striking ''and'';

(2) in subparagraph (C), by striking ''land.'' and inserting ''land;''; and

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

''(D) any land located in a census tract in which the majority of residents are Natives (as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b))); and

''(E) any land located in a census tract in which the majority of residents are persons who are enrolled members of a federally recognized Tribe or village.''.

(b) REDUCTION OF COST SHARE.—Section 2602(b)(5) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)(5)) is amended by adding at the end the following subparagraphs:

''(D) The Secretary of Energy may reduce any applicable cost share required of an Indian tribe, intertribal organization, or tribal energy development organization in order to receive a grant under this subsection to not less than 10 percent if the Indian tribe, intertribal organization, or tribal energy development organization meets criteria developed by the Secretary of Energy, including financial need.

''(E) Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) shall not apply to assistance provided under this subsection.''.

(c) AUTHORIZATION.—Section 2602(b)(7) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)(7)) is amended by striking ''$20,000,000 for each of fiscal years 2006 through 2016'' and inserting ''$30,000,000 for each of fiscal years 2021 through 2025''.

SEC. 5402. REPORT ON ELECTRICITY ACCESS AND RELIABILITY.

(a) ASSESSMENT.—The Secretary of Energy shall conduct an assessment of the status of access to electricity by households residing in Tribal communities or on Indian land, and the reliability of electric service available to households residing in Tribal communities or on Indian land, as compared to the status of access to and reliability of electricity within neighboring States or within the State in which Indian land is located.

(b) CONSULTATION.—The Secretary of Energy shall consult with Indian Tribes, Tribal organizations, the North American Electricity Reliability Corporation, and the Federal Energy Regulatory Commission in the development and conduct of the assessment under subsection (a). Indian Tribes and Tribal organizations shall have the opportunity to review and make recommendations regarding the development of the assessment and the findings of the assessment, prior to the submission of the report under subsection (c).

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of the assessment conducted under subsection (a), which shall include—

(1) a description of generation, transmission, and distribution assets available to provide electricity to households residing in Tribal communities or on Indian land;

(2) a survey of the retail and wholesale prices of electricity available to households residing in Tribal communities or on Indian land;

(3) a description of participation of Tribal members in the electric utility workforce, including the workforce for construction and maintenance of renewable energy resources and distributed energy resources;

(4) the percentage of households residing in Tribal communities or on Indian land that do not have access to electricity;

(5) the potential of distributed energy resources to provide electricity to households residing in Tribal communities or on Indian land;

(6) the potential for tribally-owned electric utilities or electric utility assets to participate in or benefit from regional electricity markets;

(7) a description of the barriers to providing access to electric service to households residing in Tribal communities or on Indian land; and

(8) recommendations to improve access to and reliability of electric service for households residing in Tribal communities or on Indian land.

(d) DEFINITIONS.—In this section:

(1) TRIBAL MEMBER.—The term ''Tribal member'' means a person who is an enrolled member of a federally recognized Tribe or village.

(2) TRIBAL COMMUNITY.—The term ''Tribal community'' means a community in a United States census tract in which the majority of residents are persons who are enrolled members of a federally recognized Tribe or village.

TITLE VI—TRANSPORTATION

Subtitle A—Diesel Emissions Reduction

SEC. 6101. REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.

Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking ''$100,000,000 for each of fiscal years 2012 through 2016'' and inserting ''$500,000,000 for each of fiscal years 2021 through 2025''.

Subtitle B—Clean School Bus Program

SEC. 6201. REAUTHORIZATION OF CLEAN SCHOOL BUS PROGRAM.

(a) DEFINITIONS.—

(1) ALTERNATIVE FUEL.—Section 741(a)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16091(a)) is amended—

(A) in subparagraph (B), by striking ''or'' after the semicolon;

(B) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

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

''(D) electricity.''.

(2) CLEAN SCHOOL BUS.—Paragraph (3) of section 741(a) of the Energy Policy Act of 2005 (42 U.S.C. 16091(a)) is amended to read as follows:

''(3) CLEAN SCHOOL BUS.—The term 'clean school bus' means—

''(A) a school bus (as the term 'schoolbus' is defined in section 30125(a) of title 49, United States Code) that—

''(i) is operated solely on an alternative fuel; and

''(ii) meets or exceeds Federal vehicle emission standards for medium-duty passenger vehicles applicable to the model year in which the school bus is manufactured; or

''(B) a zero-emission school bus.''.

(3) OTHER DEFINITIONS.—Section 741(a) of the Energy Policy Act of 2005 (42 U.S.C. 16091(a)), as amended, is further amended—

(A) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (9), and (10), respectively;

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

''(4) COMMUNITY OF COLOR.—The term 'community of color' means any geographically distinct area the population of color of which is higher than the average population of color of the State in which the community is located.'';

(C) by inserting after paragraph (5), as redesignated, the following:

''(6) INDIGENOUS COMMUNITY.—The term 'indigenous community' means—

''(A) a federally recognized Indian Tribe;

''(B) a State-recognized Indian Tribe;

''(C) an Alaska Native or Native Hawaiian community or organization; and

''(D) any other community of indigenous people, including communities in other countries.

''(7) LOW INCOME.—The term 'low income' means an annual household income equal to, or less than, the greater of—

''(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

''(B) 200 percent of the Federal poverty line.

''(8) LOW-INCOME COMMUNITY.—The term 'low-income community' means any census block group in which 30 percent or more of the population are individuals with low income.''; and

(D) by adding at the end the following:

''(11) ZERO-EMISSION SCHOOL BUS.—The term 'zero-emission school bus' means a school bus (as the term 'schoolbus' is defined in section 30125(a) of title 49, United States Code) with a drivetrain that produces, under any possible operational mode or condition, zero exhaust emission of—

''(A) any air pollutant that is listed pursuant to section 108(a) of the Clean Air Act (42 U.S.C. 7407(a)) (or any precursor to such an air pollutant); or

''(B) any greenhouse gas.''.

(b) PROGRAM FOR RETROFIT OR REPLACEMENT OF CERTAIN EXISTING SCHOOL BUSES WITH CLEAN SCHOOL BUSES.—

(1) NATIONAL GRANT, REBATE, AND LOAN PROGRAMS.—

(A) IN GENERAL.—Section 741(b)(1)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16091(b)(1)(A)) is amended by inserting after ''awarding grants'' the following: '', rebates, and low-cost revolving loans, as determined by the Administrator, including through contracts pursuant to subsection (d),''.

(B) CONFORMING CHANGES.—Section 741 of the Energy Policy Act of 2005 (42 U.S.C. 16091) is amended—

(i) in subsection (a)(4)(B), by striking ''grant funds'' and inserting ''award funds'';

(ii) in subsection (b)(1)(B), by striking ''awarding grants'' each place it appears and inserting ''making awards'';

(iii) in the heading of subsection (b)(2), by striking ''GRANT APPLICATIONS'' and inserting ''AWARD APPLICATIONS'';

(iv) in subsection (b)(2)(A), by striking ''grant applications'' and inserting ''award applications'';

(v) in subsection (b)(3)(A), by striking ''grant'' and insert ''award'';

(vi) and (b)(4)—

(I) in the paragraph heading, by striking ''GRANTS'' and inserting ''AWARDS''; and

(II) by striking ''award grants'' and inserting ''make awards'';

(vii) in subsection (b)(7)—

(I) by striking ''grant awards'' and inserting ''awards''; and

(II) by striking ''grant funding'' and inserting ''funding'';

(viii) in subsection (b)(8)(A)(ii)—

(I) in subclauses (I) and (II), by striking ''grant applications'' each place it appears and inserting ''award applications''; and

(II) in subclause (III)—

(aa) by striking ''grants awarded'' and inserting ''awards made''; and

(bb) by striking ''grant recipients'' and inserting ''award recipients''; and

(ix) in subsection (c)(3)—

(I) in subparagraph (A)—

(aa) by striking ''grant recipients'' and inserting ''award recipients''; and

(bb) by striking ''grants'' and inserting ''awards''; and

(II) in subparagraph (C), by striking ''grant program'' and inserting ''award program''.

(2) PRIORITY OF AWARD APPLICATIONS.—Section 741(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16091(b)(2)) is amended—

(A) in subparagraph (A)—

(i) by striking ''1977'' and inserting ''2007''; and

(ii) by inserting before the period at the end ''with clean school buses''; and

(B) by amending subparagraph (B) to read as follows:

''(B) RETROFITTING.—In the case of award applications to retrofit school buses, the Administrator shall give highest priority to applicants that propose to retrofit school buses manufactured before model year 2010 to become clean school buses.''.

(3) USE OF SCHOOL BUS FLEET.—Section 741(b)(3)(B) of the Energy Policy Act of 2005 (42 U.S.C. 16091(b)(3)(B)) is amended by inserting ''charged,'' after ''operated,''.

(4) REPLACEMENT AWARDS.—Paragraph (5) of section 741(b) of the Energy Policy Act of 2005 (42 U.S.C. 16091(b)) is amended to read as follows:

''(5) REPLACEMENT AWARDS.—In the case of awards to replace school buses—

''(A) the Administrator may make awards for up to—

''(i) 100 percent of the replacement costs for clean school buses that are zero-emission school buses; and

''(ii) 60 percent of the replacement costs for other eligible clean school buses; and

''(B) such replacement costs may include the costs of acquiring the clean school buses and charging and fueling infrastructure.''.

(5) ULTRA LOW-SULFUR DIESEL FUEL.—Section 741(b) of the Energy Policy Act of 2005 (42 U.S.C. 16091(b)) is amended—

(A) by striking paragraph (6); and

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

(6) SCRAPPAGE.—Section 741(b) of the Energy Policy Act of 2005 (42 U.S.C. 16091(b)) is further amended by inserting after paragraph (6), as redesignated, the following new paragraph:

''(7) SCRAPPAGE.—In the case of an award under this section for the replacement of a school bus or a retrofit including installation of a new engine, the Administrator shall require the recipient of the award to verify that the replaced bus, or the engine of a retrofitted bus that was removed, was returned to the supplier for remanufacturing to a more stringent set of engine emissions standards or for scrappage.''.

(c) EDUCATION.—Paragraph (1) of section 741(c) of the Energy Policy Act of 2005 (42 U.S.C. 16091(c)) is amended to read as follows:

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Clean Economy Jobs and Innovation Act, the Administrator shall develop an education outreach program to promote and explain the award program under subsection (b).''.

(d) CONTRACT PROGRAMS; ADMINISTRATIVE COSTS.—Section 741 of the Energy Policy Act of 2005 (42 U.S.C. 16091) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

''(d) CONTRACT PROGRAMS.—

''(1) AUTHORITY.—In addition to the use of contracting authority otherwise available to the Administrator, the Administrator may enter into contracts with eligible contractors described in paragraph (2) for awarding rebates and low-cost revolving loans pursuant to subsection (b)(1).

''(2) ELIGIBLE CONTRACTORS.—A contractor is an eligible contractor described in this paragraph if the contractor is a for-profit, not-for-profit, or nonprofit entity that has the capacity—

''(A) to sell clean school buses or equipment to, or to arrange financing for, individuals or entities that own a school bus or fleet of school buses; or

''(B) to upgrade school buses or their equipment with verified or Environmental Protection Agency-certified engines or technologies, or to arrange financing for such upgrades.

''(e) ADMINISTRATIVE COSTS.—The Administrator may not use, for the administrative costs of carrying out this section, more than one percent of the amounts made available to carry out this section for any fiscal year.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Subsection (f), as redesignated, of section 741 of the Energy Policy Act of 2005 (42 U.S.C. 16091) is amended to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section, to remain available until expended, $130,000,000 for each of fiscal years 2021 through 2025, of which not less than $52,000,000 each such fiscal year shall be used for awards under this section to eligible recipients proposing to replace or retrofit school buses to serve a community of color, indigenous community, low-income community, or any community located in an air quality area designated pursuant to section 107 of the Clean Air Act (42 U.S.C. 7407) as nonattainment.''.

(f) TECHNICAL AMENDMENT TO STRIKE REDUNDANT AUTHORIZATION.—The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (commonly referred to as ''SAFETEA–LU'') is amended by striking section 6015 (42 U.S.C. 16091a).

Subtitle C—Clean Cities Coalition Program

SEC. 6301. CLEAN CITIES COALITION PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out a program to be known as the Clean Cities Coalition Program.

(b) PROGRAM ELEMENTS.—In carrying out the program under subsection (a), the Secretary shall—

(1) establish criteria for designating local and regional Clean Cities Coalitions;

(2) designate local and regional Clean Cities Coalitions that the Secretary determines meet the criteria established under paragraph (1);

(3) make awards to each designated Clean Cities Coalition for administrative and program expenses of the coalition;

(4) make competitive awards to designated Clean Cities Coalitions for projects and activities described in subsection (c);

(5) provide technical assistance and training to designated Clean Cities Coalitions;

(6) provide opportunities for communication and sharing of best practices among designated Clean Cities Coalitions; and

(7) maintain, and make available to the public, a centralized database of information included in the reports submitted under subsection (d).

(c) PROJECTS AND ACTIVITIES.—Projects and activities eligible for awards under subsection (b)(4) are projects and activities that reduce petroleum consumption, improve air quality, promote energy and economic security, and encourage deployment of a diverse, domestic supply of alternative fuels in the transportation sector by—

(1) encouraging the purchase and use of alternative fuel vehicles and alternative fuels, including by fleet managers;

(2) expediting the establishment of local, regional, and national infrastructure to fuel alternative fuel vehicles;

(3) advancing the use of other petroleum fuel reduction technologies and strategies;

(4) conducting outreach and education activities to advance the use of alternative fuels and alternative fuel vehicles;

(5) providing training and technical assistance and tools to users that adopt petroleum fuel reduction technologies; or

(6) collaborating with and training officials and first responders with responsibility for permitting and enforcing fire, building, and other safety codes related to the deployment and use of alternative fuels or alternative fuel vehicles.

(d) ANNUAL REPORT.—Each designated Clean Cities Coalition shall submit an annual report to the Secretary on the activities and accomplishments of the coalition.

(e) DEFINITIONS.—In this section:

(1) ALTERNATIVE FUEL.—The term ''alternative fuel'' has the meaning given such term in section 32901 of title 49, United States Code.

(2) ALTERNATIVE FUEL VEHICLE.—The term ''alternative fuel vehicle'' means any vehicle that is capable of operating, partially or exclusively, on an alternative fuel.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(f) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(A) $50,000,000 for fiscal year 2021;

(B) $60,000,000 for fiscal year 2022;

(C) $75,000,000 for fiscal year 2023;

(D) $90,000,000 for fiscal year 2024; and

(E) $100,000,000 for fiscal year 2025.

(2) ALLOCATIONS.—The Secretary shall allocate funds made available to carry out this section in each fiscal year as follows:

(A) Thirty percent of such funds shall be distributed as awards under subsection (b)(3).

(B) Fifty percent of such funds shall be distributed as competitive awards under subsection (b)(4).

(C) Twenty percent of such funds shall be used to carry out the duties of the Secretary under this section.

Subtitle D—Renewable Fuel Standard Integrity

SEC. 6401. ANNUAL DEADLINE FOR PETITIONS BY SMALL REFINERIES FOR EXEMPTIONS FROM RENEWABLE FUEL REQUIREMENTS.

(a) DEADLINE.—Notwithstanding any other provision of law, petitions under section 211(o)(9) of the Clean Air Act (42 U.S.C. 7545(o)(9)) for an exemption from the requirements of section 211(o)(2) of such Act (42 U.S.C. 7545(o)(2)) shall be submitted to the Administrator of the Environmental Protection Agency by June 1 of the year preceding the year when such requirements would otherwise be in effect.

(b) EFFECT OF FAILURE TO MEET DEADLINE.—If a petition described in subsection (a) is not submitted by the deadline specified in such subsection, the petition shall be ineligible for consideration or approval.

SEC. 6402. INFORMATION IN PETITION SUBJECT TO PUBLIC DISCLOSURE.

(a) IN GENERAL.—The information described in subsection (b) in any submission to the Environmental Protection Agency by any person, including a small refinery, with respect to a petition under section 211(o)(9)(B) of the Clean Air Act (42 U.S.C. 7545(o)(9)(B))—

(1) shall not be deemed to be a trade secret or confidential information; and

(2) shall be subject to public disclosure under section 552 of title 5, United States Code.

(b) DESCRIBED INFORMATION.—The information described in this subsection is—

(1) the name of the small refinery requesting an extension of an exemption;

(2) the number of gallons of renewable fuel that will not be contained in fuel pursuant to section 211(o)(2) of the Clean Air Act (42 U.S.C. 7545(o)(2)) as a result of the extension if the extension is granted; and

(3) the compliance year for which the extension is requested.

(c) APPLICABILITY.—Subsection (a) applies only with respect to information submitted with respect to a petition under section 211(o)(9)(B) of the Clean Air Act (42 U.S.C. 7545(o)(9)(B)) for calendar year 2021 or a subsequent calendar year.

Subtitle E—EV Infrastructure

SEC. 6501. DEFINITIONS.

In this subtitle:

(1) ELECTRIC VEHICLE SUPPLY EQUIPMENT.—The term ''electric vehicle supply equipment'' means any conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) UNDERSERVED OR DISADVANTAGED COMMUNITY.—The term ''underserved or disadvantaged community'' means—

(A) a community located in a ZIP code that includes a census tract that is identified as—

(i) a low-income community; or

(ii) a community of color; or

(B) any other community that the Secretary determines is disproportionately vulnerable to, or bears a disproportionate burden of, any combination of economic, social, and environmental stressors.

SEC. 6502. ELECTRIC VEHICLE SUPPLY EQUIPMENT REBATE PROGRAM.

(a) REBATE PROGRAM.—Not later than January 1, 2022, the Secretary shall establish a rebate program to provide rebates for covered expenses associated with publicly accessible electric vehicle supply equipment (in this section referred to as the ''rebate program'').

(b) REBATE PROGRAM REQUIREMENTS.—

(1) ELIGIBLE ENTITIES.—A rebate under the rebate program may be made to an individual, a State, local, Tribal, or Territorial government, a private entity, a not-for-profit entity, a nonprofit entity, or a metropolitan planning organization.

(2) ELIGIBLE EQUIPMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish and maintain on the Department of Energy internet website a list of electric vehicle supply equipment that is eligible for the rebate program.

(B) UPDATES.—The Secretary may, by regulation, add to, or otherwise revise, the list of electric vehicle supply equipment under subparagraph (A) if the Secretary determines that such addition or revision will likely lead to—

(i) greater usage of electric vehicle supply equipment;

(ii) greater access to electric vehicle supply equipment by users; or

(iii) an improved experience for users of electric vehicle supply equipment.

(C) LOCATION REQUIREMENT.—To be eligible for the rebate program, the electric vehicle supply equipment described in subparagraph (A) shall be installed—

(i) in the United States;

(ii) on property—

(I) owned by the eligible entity under paragraph (1); or

(II) on which the eligible entity under paragraph (1) has authority to install electric vehicle supply equipment; and

(iii) at a location that is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

(IV) open to the public for a minimum of 12 hours per day;

(3) APPLICATION.—

(A) IN GENERAL.—An eligible entity under paragraph (1) may submit to the Secretary an application for a rebate under the rebate program. Such application shall include—

(i) the estimated cost of covered expenses to be expended on the electric vehicle supply equipment that is eligible under paragraph (2);

(ii) the estimated installation cost of the electric vehicle supply equipment that is eligible under paragraph (2);

(iii) the global positioning system location, including the integer number of degrees, minutes, and seconds, where such electric vehicle supply equipment is to be installed, and identification of whether such location is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

(IV) open to the public for a minimum of 12 hours per day;

(iv) the technical specifications of such electric vehicle supply equipment, including the maximum power voltage and amperage of such equipment; and

(v) any other information determined by the Secretary to be necessary for a complete application.

(B) REVIEW PROCESS.—The Secretary shall review an application for a rebate under the rebate program and approve an eligible entity under paragraph (1) to receive such rebate if the application meets the requirements of the rebate program under this subsection.

(C) NOTIFICATION TO ELIGIBLE ENTITY.—Not later than 1 year after the date on which the eligible entity under paragraph (1) applies for a rebate under the rebate program, the Secretary shall notify the eligible entity whether the eligible entity will be awarded a rebate under the rebate program following the submission of additional materials required under paragraph (5).

(4) REBATE AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of a rebate made under the rebate program for each charging unit shall be the lesser of—

(i) 75 percent of the applicable covered expenses;

(ii) $2,000 for covered expenses associated with the purchase and installation of non-networked level 2 charging equipment;

(iii) $4,000 for covered expenses associated with the purchase and installation of networked level 2 charging equipment; or

(iv) $100,000 for covered expenses associated with the purchase and installation of networked direct current fast charging equipment.

(B) REBATE AMOUNT FOR REPLACEMENT EQUIPMENT.—A rebate made under the rebate program for replacement of pre-existing electric vehicle supply equipment at a single location shall be the lesser of—

(i) 75 percent of the applicable covered expenses;

(ii) $1,000 for covered expenses associated with the purchase and installation of non-networked level 2 charging equipment;

(iii) $2,000 for covered expenses associated with the purchase and installation of networked level 2 charging equipment; or

(iv) $25,000 for covered expenses associated with the purchase and installation of networked direct current fast charging equipment.

(5) DISBURSEMENT OF REBATE.—

(A) IN GENERAL.—The Secretary shall disburse a rebate under the rebate program to an eligible entity under paragraph (1), following approval of an application under paragraph (3), if such entity submits the materials required under subparagraph (B).

(B) MATERIALS REQUIRED FOR DISBURSEMENT OF REBATE.—Not later than one year after the date on which the eligible entity under paragraph (1) receives notice under paragraph (3)(C) that the eligible entity has been approved for a rebate, such eligible entity shall submit to the Secretary the following—

(i) a record of payment for covered expenses expended on the installation of the electric vehicle supply equipment that is eligible under paragraph (2);

(ii) a record of payment for the electric vehicle supply equipment that is eligible under paragraph (2);

(iii) the global positioning system location of where such electric vehicle supply equipment was installed and identification of whether such location is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

(IV) open to the public for a minimum of 12 hours per day;

(iv) the technical specifications of the electric vehicle supply equipment that is eligible under paragraph (2), including the maximum power voltage and amperage of such equipment; and

(v) any other information determined by the Secretary to be necessary.

(C) AGREEMENT TO MAINTAIN.—To be eligible for a rebate under the rebate program, an eligible entity under paragraph (1) shall enter into

an agreement with the Secretary to maintain the electric vehicle supply equipment that is eligible under paragraph (2) in a satisfactory manner for not less than 5 years after the date on which the eligible entity under paragraph (1) receives the rebate under the rebate program.

(D) EXCEPTION.—The Secretary shall not disburse a rebate under the rebate program if materials submitted under subparagraph (B) do not meet the same global positioning system location and technical specifications for the electric vehicle supply equipment that is eligible under paragraph (2) provided in an application under paragraph (3).

(6) MULTI-PORT CHARGERS.—An eligible entity under paragraph (1) shall be awarded a rebate under the rebate program for covered expenses relating to the purchase and installation of a multi-port charger based on the number of publicly accessible charging ports, with each subsequent port after the first port being eligible for 50 percent of the full rebate amount.

(7) NETWORKED DIRECT CURRENT FAST CHARGING.—Of amounts appropriated to carry out the rebate program, not more than 40 percent may be used for rebates of networked direct current fast charging equipment.

(8) HYDROGEN FUEL CELL REFUELING INFRASTRUCTURE.—Hydrogen refueling equipment shall be eligible for a rebate under the rebate program as though it were networked direct current fast charging equipment. All requirements related to public accessibility of installed locations shall apply.

(9) REPORT.—Not later than 3 years after the first date on which the Secretary awards a rebate under the rebate program, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report of the number of rebates awarded for electric vehicle supply equipment and hydrogen fuel cell refueling equipment in each of the location categories described in paragraph (2)(C)(iii).

(c) DEFINITIONS.—In this section:

(1) COVERED EXPENSES.—The term ''covered expenses'' means an expense that is associated with the purchase and installation of electric vehicle supply equipment, including—

(A) the cost of electric vehicle supply equipment;

(B) labor costs associated with the installation of such electric vehicle supply equipment, only if wages for such labor are paid at rates not less than those prevailing on similar labor in the locality of installation, as determined by the Secretary of Labor under subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the ''Davis-Bacon Act'');

(C) material costs associated with the installation of such electric vehicle supply equipment, including expenses involving electrical equipment and necessary upgrades or modifications to the electrical grid and associated infrastructure required for the installation of such electric vehicle supply equipment;

(D) permit costs associated with the installation of such electric vehicle supply equipment; and

(E) the cost of an on-site energy storage system.

(2) ELECTRIC VEHICLE.—The term ''electric vehicle'' means a vehicle that derives all or part of its power from electricity.

(3) MULTI-PORT CHARGER.—The term ''multi-port charger'' means electric vehicle supply equipment capable of charging more than one electric vehicle.

(4) LEVEL 2 CHARGING EQUIPMENT.—The term ''level 2 charging equipment'' means electric vehicle supply equipment that provides an alternating current power source at a minimum of 208 volts.

(5) NETWORKED DIRECT CURRENT FAST CHARGING EQUIPMENT.—The term ''networked direct current fast charging equipment'' means electric vehicle supply equipment that provides a direct current power source at a minimum of 50 kilowatts and is enabled to connect to a network to facilitate data collection and access.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2021 through 2025.

SEC. 6503. EXPANDING ACCESS TO ELECTRIC VEHICLES IN UNDERSERVED COMMUNITIES.

(a) ASSESSMENT.—

(1) IN GENERAL.—

(A) ASSESSMENT.—The Secretary shall conduct an assessment of the state of, challenges to, and opportunities for the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities located in major urban areas and rural areas throughout the United States.

(B) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of the assessment conducted under subparagraph (A), which shall—

(i) describe the state of deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities located in major urban areas and rural areas by providing—

(I) the number of existing and planned Level 2 charging stations and DC FAST charging stations per capita in each State for charging individually owned light-duty and medium-duty electric vehicles;

(II) the number of existing and planned Level 2 charging stations and DC FAST charging stations for charging public and private fleet electric vehicles and medium- and heavy-duty electric equipment and electric vehicles;

(III) the number of Level 2 charging stations and DC FAST charging stations installed in or available to occupants of publicly owned and privately owned multi-unit dwellings;

(IV) information pertaining to policies, plans, and programs that cities, States, utilities, and private entities are using to encourage greater deployment and usage of electric vehicles and the associated electric vehicle charging infrastructure, including programs to encourage deployment of charging stations available to residents in publicly owned and privately owned multi-unit dwellings;

(V) information pertaining to ownership models for Level 2 charging stations and DC FAST charging stations located in publicly owned and privately owned residential multi-unit dwellings, commercial buildings, public and private parking areas, and curb-side locations; and

(VI) information pertaining to how charging stations are financed and the rates charged for the use of Level 2 charging stations and DC FAST charging stations;

(ii) describe the methodology used to obtain the information provided in the report;

(iii) identify the barriers to expanding deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in major urban areas and rural areas, including any challenges relating to such deployment in multi-unit dwellings;

(iv) compile and provide an analysis of the best practices and policies used by State and local governments and private entities to increase deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in major urban areas and rural areas, including best practices with respect to—

(I) public outreach and engagement; and

(II) increasing deployment of electric vehicle charging infrastructure in publicly owned and privately owned multi-unit dwellings; and

(v) enumerate and identify the number of electric vehicle charging stations per capita at locations within each major urban area and rural area throughout the United States with detail at the level of ZIP Codes and census tracts.

(2) FIVE-YEAR UPDATE ASSESSMENT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall—

(A) update the assessment conducted under paragraph (1)(A); and

(B) make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report, which shall—

(i) update the information required by paragraph (1)(B); and

(ii) include a description of case studies and key lessons learned after the date on which the report under paragraph (1)(B) was submitted with respect to expanding the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in major urban areas and rural areas.

(b) DEFINITIONS.—In this section:

(1) ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.—The term ''electric vehicle charging infrastructure'' means electric vehicle supply equipment and other physical assets that provide for the distribution of and access to electricity for the purpose of charging an electric vehicle or a plug-in hybrid electric vehicle.

(2) MAJOR URBAN AREA.—The term ''major urban area'' means a metropolitan statistical area within the United States with an estimated population that is greater than or equal to 1,500,000.

SEC. 6504. ENSURING PROGRAM BENEFITS FOR UNDERSERVED AND DISADVANTAGED COMMUNITIES.

In carrying out this subtitle, and the amendments made by this subtitle, the Secretary shall provide, to the extent practicable access to electric vehicle charging infrastructure, address transportation needs, and provide improved air quality in underserved or disadvantaged communities.

SEC. 6505. MODEL BUILDING CODE FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT.

(a) REVIEW.—The Secretary shall review proposed or final model building codes for—

(1) integrating electric vehicle supply equipment into residential and commercial buildings that include space for individual vehicle or fleet vehicle parking; and

(2) integrating onsite renewable power equipment and electric storage equipment (including electric vehicle batteries to be used for electric storage) into residential and commercial buildings.

(b) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to stakeholders representing the building construction industry, manufacturers of electric vehicles and electric vehicle supply equipment, State and local governments, and any other persons with relevant expertise or interests to facilitate understanding of the model code and best practices for adoption by jurisdictions.

SEC. 6506. ELECTRIC VEHICLE SUPPLY EQUIPMENT COORDINATION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Assistant Secretary of the Office of Electricity Delivery and Energy Reliability (including the Smart Grid Task Force), shall convene a group to assess progress in the development of standards necessary to—

(1) support the expanded deployment of electric vehicle supply equipment;

(2) develop an electric vehicle charging network to provide reliable charging for electric vehicles nationwide; and

(3) ensure the development of such network will not compromise the stability and reliability of the electric grid.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall provide to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate a report containing

the results of the assessment carried out under subsection (a) and recommendations to overcome any barriers to standards development or adoption identified by the group convened under such subsection.

SEC. 6507. STATE CONSIDERATION OF ELECTRIC VEHICLE CHARGING.

(a) CONSIDERATION AND DETERMINATION RESPECTING CERTAIN RATEMAKING STANDARDS.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is further amended by adding at the end the following:

''(21) ELECTRIC VEHICLE CHARGING PROGRAMS.—

''(A) IN GENERAL.—Each State shall consider measures to promote greater electrification of the transportation sector, including—

''(i) authorizing measures to stimulate investment in and deployment of electric vehicle supply equipment and to foster the market for electric vehicle charging;

''(ii) authorizing each electric utility of the State to recover from ratepayers any capital, operating expenditure, or other costs of the electric utility relating to load management, programs, or investments associated with the integration of electric vehicle supply equipment into the grid; and

''(iii) allowing a person or agency that owns and operates an electric vehicle charging facility for the sole purpose of recharging an electric vehicle battery to be excluded from regulation as an electric utility pursuant to section 3(4) when making electricity sales from the use of the electric vehicle charging facility, if such sales are the only sales of electricity made by the person or agency.

''(B) DEFINITION.—For purposes of this paragraph, the term 'electric vehicle supply equipment' means conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.''.

(b) OBLIGATIONS TO CONSIDER AND DETERMINE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(8)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standards established by paragraph (21) of section 111(d).

''(B) Not later than 2 years after the date of the enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority), and each nonregulated electric utility, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to each standard established by paragraph (21) of section 111(d).''.

(2) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding at the end the following: ''In the case of the standard established by paragraph (21) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph.''.

(3) PRIOR STATE ACTIONS.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

''(h) PRIOR STATE ACTIONS.—Subsections (b) and (c) of this section shall not apply to the standard established by paragraph (21) of section 111(d) in the case of any electric utility in a State if, before the enactment of this subsection—

''(1) the State has implemented for such utility the standard concerned (or a comparable standard);

''(2) the State regulatory authority for such State or relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard concerned (or a comparable standard) for such utility;

''(3) the State legislature has voted on the implementation of such standard (or a comparable standard) for such utility; or

''(4) the State has taken action to implement incentives or other steps to strongly encourage the deployment of electric vehicles.''.

(4) PRIOR AND PENDING PROCEEDINGS.—Section 124 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2634) is amended is amended by adding at the end the following: ''In the case of the standard established by paragraph (21) of section 111(d), the reference contained in this section to the date of the enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraph (21).''.

SEC. 6508. STATE ENERGY PLANS.

(a) STATE ENERGY CONSERVATION PLANS.—Section 362(d) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)) is amended—

(1) in paragraph (16), by striking ''; and'' and inserting a semicolon;

(2) by redesignating paragraph (17) as paragraph (18); and

(3) by inserting after paragraph (16) the following:

''(17) a State energy transportation plan developed in accordance with section 368; and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) STATE ENERGY CONSERVATION PLANS.—For the purpose of carrying out this part, there are authorized to be appropriated $100,000,000 for each of fiscal years 2021 through 2025.

''(2) STATE ENERGY TRANSPORTATION PLANS.—In addition to the amounts authorized under paragraph (1), for the purpose of carrying out section 368, there are authorized to be appropriated $25,000,000 for each of fiscal years 2021 through 2025.''.

(c) STATE ENERGY TRANSPORTATION PLANS.—

(1) IN GENERAL.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is further amended by adding at the end the following:

''SEC. 368. STATE ENERGY TRANSPORTATION PLANS.

''(a) IN GENERAL.—The Secretary may provide financial assistance to a State to develop a State energy transportation plan, for inclusion in a State energy conservation plan under section 362(d), to promote the electrification of the transportation system, reduced consumption of fossil fuels, and improved air quality.

''(b) DEVELOPMENT.—A State developing a State energy transportation plan under this section shall carry out this activity through the State energy office that is responsible for developing the State energy conservation plan under section 362.

''(c) CONTENTS.—A State developing a State energy transportation plan under this section shall include in such plan a plan to—

''(1) deploy a network of electric vehicle supply equipment to ensure access to electricity for electric vehicles, including commercial vehicles; and

''(2) promote modernization of the electric grid to accommodate demand for power to operate electric vehicle supply equipment and to utilize energy storage capacity provided by electric vehicles, including commercial vehicles.

''(d) COORDINATION.—In developing a State energy transportation plan under this section, a State shall coordinate, as appropriate, with—

''(1) State regulatory authorities (as defined in section 3 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602));

''(2) electric utilities;

''(3) regional transmission organizations or independent system operators;

''(4) private entities that provide electric vehicle charging services;

''(5) State transportation agencies, metropolitan planning organizations, and local governments;

''(6) electric vehicle manufacturers;

''(7) public and private entities that manage vehicle fleets; and

''(8) public and private entities that manage ports, airports, or other transportation hubs.

''(e) TECHNICAL ASSISTANCE.—Upon request of the Governor of a State, the Secretary shall provide information and technical assistance in the development, implementation, or revision of a State energy transportation plan.

''(f) ELECTRIC VEHICLE SUPPLY EQUIPMENT DEFINED.—For purposes of this section, the term 'electric vehicle supply equipment' means conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.''.

(2) CONFORMING AMENDMENT.—The table of sections for part D of title III of the Energy Policy and Conservation Act is further amended by adding at the end the following:

''Sec. 368. State energy security plans.''.

SEC. 6509. TRANSPORTATION ELECTRIFICATION.

Section 131 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17011) is amended—

(1) in subsection (a)(6)—

(A) in subparagraph (A), by inserting '', including ground support equipment at ports'' before the semicolon;

(B) in subparagraph (E), by inserting ''and vehicles'' before the semicolon;

(C) in subparagraph (H), by striking ''and'' at the end;

(D) in subparagraph (I)—

(i) by striking ''battery chargers,''; and

(ii) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(J) installation of electric vehicle supply equipment for recharging plug-in electric drive vehicles, including such equipment that is accessible in rural and urban areas and in underserved or disadvantaged communities and such equipment for medium- and heavy-duty vehicles, including at depots and in-route locations;

''(K) multi-use charging hubs used for multiple forms of transportation;

''(L) medium- and heavy-duty vehicle smart charging management and refueling;

''(M) battery recycling and secondary use, including for medium- and heavy-duty vehicles; and

''(N) sharing of best practices, and technical assistance provided by the Department to public utilities commissions and utilities, for medium- and heavy-duty vehicle electrification.'';

(2) in subsection (b)—

(A) in paragraph (3)(A)(ii), by inserting '', components for such vehicles, and charging equipment for such vehicles'' after ''vehicles''; and

(B) in paragraph (6), by striking ''$90,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$2,000,000,000 for each of fiscal years 2021 through 2025'';

(3) in subsection (c)—

(A) in the header, by striking ''NEAR-TERM'' and inserting ''LARGE-SCALE''; and

(B) in paragraph (4), by striking ''$95,000,000 for each of fiscal years 2008 through 2013'' and inserting ''$2,500,000,000 for each of fiscal years 2021 through 2025''; and

(4) by redesignating subsection (d) as subsection (e) and inserting after subsection (c) the following:

''(d) PRIORITY.—In providing grants under subsections (b) and (c), the Secretary shall give

priority consideration to applications that contain a written assurance that all laborers and mechanics employed by contractors or subcontractors during construction, alteration, or repair that is financed, in whole or in part, by a grant provided under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with sections 3141 through 3144, 3146, and 3147 of title 40, United States Code (and the Secretary of Labor shall, with respect to the labor standards described in this clause, have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40, United States Code).''.

SEC. 6510. FEDERAL FLEETS.

(a) MINIMUM FEDERAL FLEET REQUIREMENT.—Section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) The Secretary, in consultation with the Administrator of General Services, shall ensure that in acquiring medium- and heavy-duty vehicles for a Federal fleet, a Federal entity shall acquire zero emission vehicles to the maximum extent feasible.'';

(2) by striking subsection (b) and inserting the following:

''(b) PERCENTAGE REQUIREMENTS.—

''(1) IN GENERAL.—

''(A) LIGHT-DUTY VEHICLES.—Beginning in fiscal year 2025, 100 percent of the total number of light-duty vehicles acquired by a Federal entity for a Federal fleet shall be alternative fueled vehicles, of which—

''(i) at least 50 percent shall be zero emission vehicles or plug-in hybrids in fiscal years 2025 through 2034;

''(ii) at least 75 percent shall be zero emission vehicles or plug-in hybrids in fiscal years 2035 through 2049; and

''(iii) 100 percent shall be zero emission vehicles in fiscal year 2050 and thereafter.

''(B) MEDIUM- AND HEAVY-DUTY VEHICLES.—The following percentages of the total number of medium- and heavy-duty vehicles acquired by a Federal entity for a Federal fleet shall be alternative fueled vehicles:

''(i) At least 20 percent in fiscal years 2025 through 2029.

''(ii) At least 30 percent in fiscal years 2030 through 2039.

''(iii) At least 40 percent in fiscal years 2040 through 2049.

''(iv) At least 50 percent in fiscal year 2050 and thereafter.

''(2) EXCEPTION.—The Secretary, in consultation with the Administrator of General Services where appropriate, may permit a Federal entity to acquire for a Federal fleet a smaller percentage than is required in paragraph (1) for a fiscal year, so long as the aggregate percentage acquired for each class of vehicle for all Federal fleets in the fiscal year is at least equal to the required percentage.

''(3) DEFINITIONS.—In this subsection:

''(A) FEDERAL FLEET.—The term 'Federal fleet' means a fleet of vehicles that are centrally fueled or capable of being centrally fueled and are owned, operated, leased, or otherwise controlled by or assigned to any Federal executive department, military department, Government corporation, independent establishment, or executive agency, the United States Postal Service, the Congress, the courts of the United States, or the Executive Office of the President. Such term does not include—

''(i) motor vehicles held for lease or rental to the general public;

''(ii) motor vehicles used for motor vehicle manufacturer product evaluations or tests;

''(iii) law enforcement vehicles;

''(iv) emergency vehicles; or

''(v) motor vehicles acquired and used for military purposes that the Secretary of Defense has certified to the Secretary must be exempt for national security reasons.

''(B) FLEET.—The term 'fleet' means—

''(i) 20 or more light-duty vehicles, located in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000; or

''(ii) 10 or more medium- or heavy-duty vehicles, located at a Federal facility or located in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000.''; and

(3) in subsection (f)(2)(B)—

(A) by striking '', either''; and

(B) in clause (i), by striking ''or'' and inserting ''and''.

(b) FEDERAL FLEET CONSERVATION REQUIREMENTS.—Section 400FF(a) of the Energy Policy and Conservation Act (42 U.S.C. 6374e) is amended—

(1) in paragraph (1)—

(A) by striking ''18 months after the date of enactment of this section'' and inserting ''12 months after the date of enactment of the Clean Economy Jobs and Innovation Act'';

(B) by striking ''2010'' and inserting ''2022''; and

(C) by striking ''and increase alternative fuel consumption'' and inserting '', increase alternative fuel consumption, and reduce vehicle greenhouse gas emissions''; and

(2) by striking paragraph (2) and inserting the following:

''(2) GOALS.—The goals of the requirements under paragraph (1) are that each Federal agency shall—

''(A) reduce fleet-wide per-mile greenhouse gas emissions from agency fleet vehicles, relative to a baseline of emissions in 2015, by—

''(i) not less than 30 percent by the end of fiscal year 2025;

''(ii) not less than 50 percent by the end of fiscal year 2030; and

''(iii) 100 percent by the end of fiscal year 2050; and

''(B) increase the annual percentage of alternative fuel consumption by agency fleet vehicles as a proportion of total annual fuel consumption by Federal fleet vehicles, to achieve—

''(i) 25 percent of total annual fuel consumption that is alternative fuel by the end of fiscal year 2025;

''(ii) 50 percent of total annual fuel consumption that is alternative fuel by the end of fiscal year 2035; and

''(iii) at least 85 percent of total annual fuel consumption that is alternative fuel by the end of fiscal year 2050.''.

SEC. 6511. DOMESTIC MANUFACTURING CONVERSION GRANT PROGRAM.

(a) HYBRID VEHICLES, ADVANCED VEHICLES, AND FUEL CELL BUSES.—Subtitle B of title VII of the Energy Policy Act of 2005 (42 U.S.C. 16061 et seq.) is amended—

*(1) in the subtitle header, by inserting ''**Plug-In Electric Vehicles,**'' before ''**Hybrid Vehicles**''; and*

*(2) in part 1, in the part header, by striking ''**HYBRID**'' and inserting ''**PLUG-IN ELECTRIC**''.*

(b) PLUG-IN ELECTRIC VEHICLES.—Section 711 of the Energy Policy Act of 2005 (42 U.S.C. 16061) is amended to read as follows:

''SEC. 711. PLUG-IN ELECTRIC VEHICLES.

''The Secretary shall accelerate efforts, related to domestic manufacturing, that are directed toward the improvement of batteries, power electronics, and other technologies for use in plug-in electric vehicles.''.

(c) EFFICIENT HYBRID AND ADVANCED DIESEL VEHICLES.—Section 712 of the Energy Policy Act of 2005 (42 U.S.C. 16062) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', plug-in electric,'' after ''efficient hybrid''; and

(B) by amending paragraph (3) to read as follows:

''(3) PRIORITY.—Priority shall be given to—

''(A) the refurbishment or retooling of manufacturing facilities that have recently ceased operation or would otherwise cease operation in the near future; and

''(B) applications containing a written assurance that—

''(i) all laborers and mechanics employed by contractors or subcontractors during construction, alteration, retooling, or repair that is financed, in whole or in part, by a grant under this subsection shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with sections 3141 through 3144, 3146, and 3147 of title 40, United States Code;

''(ii) all laborers and mechanics employed by the owner or operator of a manufacturing facility that is financed, in whole or in part, by a grant under this subsection shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with sections 3141 through 3144, 3146, and 3147 of title 40, United States Code; and

''(iii) the Secretary of Labor shall, with respect to the labor standards described in this paragraph, have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40, United States Code.''; and

(2) by striking subsection (c) and inserting the following:

''(c) COST SHARE AND GUARANTEE OF OPERATION.—

''(1) CONDITION.—A recipient of a grant under this section shall pay the Secretary the full amount of the grant if the facility financed in whole or in part under this subsection fails to manufacture goods for a period of at least 10 years after the completion of construction.

''(2) COST SHARE.—Section 988(c) shall apply to a grant made under this subsection.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2.5 billion for each of fiscal years 2021 through 2025.

''(e) PERIOD OF AVAILABILITY.—An award made under this section after the date of enactment of this subsection shall only be available with respect to facilities and equipment placed in service before December 30, 2035.''.

(d) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 2005 is amended—

(1) in the item relating to subtitle B of title VII, by inserting ''Plug-In Electric Vehicles,'' before ''Hybrid Vehicles'';

(2) in the item relating to part 1 of such subtitle, by striking ''Hybrid'' and inserting ''Plug-In Electric''; and

(3) in the item relating to section 711, by striking ''Hybrid'' and inserting ''Plug-in electric''.

SEC. 6512. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.

Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(ii) by striking ''(1) ADVANCED TECHNOLOGY VEHICLE.—'' and all that follows through ''meets—'' and inserting the following:

''(1) ADVANCED TECHNOLOGY VEHICLE.—The term 'advanced technology vehicle' means—

''(A) an ultra efficient vehicle;

''(B) a light-duty vehicle or medium-duty passenger vehicle that—'';

(iii) in subparagraph (B)(i) (as so redesignated), by striking ''the Bin 5 Tier II'' and inserting ''meets the Bin 160 Tier III'';

(iv) in subparagraph (B)(ii) (as so redesignated), by inserting ''meets'' before ''any new'';

(v) by amending subparagraph (B)(iii) (as so redesignated) to read as follows:

''(iii)(I) for vehicles produced in model years 2021 through 2025, meets the applicable regulatory standards for emissions of greenhouse gases for model year 2021 through 2025 vehicles promulgated by the Administrator of the Environmental Protection Agency on October 15, 2012 (77 Fed. Reg. 62624); or

''(II) emits zero emissions of greenhouse gases; or''; and

(vi) by adding at the end the following:

''(C) a heavy-duty vehicle (excluding a medium-duty passenger vehicle) that—

''(i) complies early with and demonstrates achievement below the applicable regulatory standards for emissions of greenhouse gases for model year 2027 vehicles promulgated by the Administrator on October 25, 2016 (81 Fed. Reg. 73478); or

''(ii) emits zero emissions of greenhouse gases.'';

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(C) by striking paragraph (4) and inserting the following:

''(3) QUALIFYING COMPONENT.—The term 'qualifying component' means a material, technology, component, system, or subsystem in an advanced technology vehicle, including an ultra-efficient component.

''(4) ULTRA-EFFICIENT COMPONENT.—The term 'ultra-efficient component' means a component of an ultra efficient vehicle, including—

''(A) fuel cell technology;

''(B) battery technology, including a battery cell, battery, battery management system, or thermal control system;

''(C) an automotive semiconductor or computer;

''(D) an electric motor, axle, or component; and

''(E) an advanced lightweight, high-strength, or high-performance material.''; and

(D) in paragraph (5)—

(i) in subparagraph (B), by striking ''or'' at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(D) at least 75 miles per gallon equivalent while operating as a hydrogen fuel cell electric vehicle.'';

(2) by amending subsection (b) to read as follows:

''(b) ADVANCED VEHICLES MANUFACTURING FACILITY.—

''(1) IN GENERAL.—The Secretary shall provide facility funding awards under this section to advanced technology vehicle manufacturers and component suppliers to pay not more than 50 percent of the cost of—

''(A) reequipping, expanding, or establishing a manufacturing facility in the United States to produce—

''(i) advanced technology vehicles; or

''(ii) qualifying components; and

''(B) engineering integration performed in the United States of advanced technology vehicles and qualifying components.

''(2) ULTRA-EFFICIENT COMPONENTS COST SHARE.—Notwithstanding paragraph (1), a facility funding award under such paragraph may pay not more than 80 percent of the cost of a project to reequip, expand, or establish a manufacturing facility in the United States to produce ultra-efficient components.'';

(3) in subsection (c), by striking ''2020'' and inserting ''2030'' each place it appears;

(4) in subsection (d)—

(A) by amending paragraph (2) to read as follows:

''(2) APPLICATION.—An applicant for a loan under this subsection shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

''(A) a written assurance that—

''(i) all laborers and mechanics employed by contractors or subcontractors during construction, alteration, or repair, or at any manufacturing operation, that is financed, in whole or in part, by a loan under this section shall be paid wages at rates not less than those prevailing in a similar firm or on similar construction in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code; and

''(ii) the Secretary of Labor shall, with respect to the labor standards described in this paragraph, have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code;

''(B) a disclosure of whether there has been any administrative merits determination, arbitral award or decision, or civil judgment, as defined in guidance issued by the Secretary of Labor, rendered against the applicant in the preceding 3 years for violations of applicable labor, employment, civil rights, or health and safety laws;

''(C) specific information regarding the actions the applicant will take to demonstrate compliance with, and where possible exceedance of, requirements under applicable labor, employment, civil rights, and health and safety laws, and actions the applicant will take to ensure that its direct suppliers demonstrate compliance with applicable labor, employment, civil rights, and health and safety laws; and

''(D) an estimate and description of the jobs and types of jobs to be retained or created by the project and the specific actions the applicant will take to increase employment and retention of dislocated workers, veterans, individuals from low-income communities, women, minorities, and other groups underrepresented in manufacturing, and individuals with a barrier to employment.'';

(B) by amending paragraph (3) to read as follows:

''(3) SELECTION OF ELIGIBLE PROJECTS.—The Secretary shall select eligible projects to receive loans under this subsection in cases in which the Secretary determines—

''(A) the loan recipient—

''(i) has a reasonable prospect of repaying the principal and interest on the loan;

''(ii) will provide sufficient information to the Secretary for the Secretary to ensure that the qualified investment is expended efficiently and effectively; and

''(iii) has met such other criteria as may be established and published by the Secretary; and

''(B) the amount of the loan (when combined with amounts available to the loan recipient from other sources) will be sufficient to carry out the project.''; and

(C) in paragraph (4)—

(i) in subparagraph (B)(i), by striking ''; and'' and inserting ''; or'';

(ii) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(iii) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(E) shall be subject to the condition that the loan is not subordinate to other financing.'';

(5) by amending subsection (e) to read as follows:

''(e) REGULATIONS.—Not later than 6 months after the date of enactment of the Clean Economy Jobs and Innovation Act, the Secretary shall issue a final rule establishing regulations to carry out this section.'';

(6) by amending subsection (f) to read as follows:

''(f) FEES.—The Secretary shall charge and collect fees for loans under this section in amounts the Secretary determines are sufficient to cover applicable administrative expenses (including any costs associated with third-party consultants engaged by the Secretary), which may not exceed $100,000 or 10 basis points of the loan and may not be collected prior to financial closing.'';

(7) by amending subsection (g) to read as follows:

''(g) PRIORITY.—The Secretary shall, in making awards or loans to those manufacturers that have existing facilities (which may be idle), give priority to those facilities that are or would be—

''(1) oldest or in existence for at least 20 years;

''(2) recently closed, or at risk of closure;

''(3) utilized primarily for the manufacture of medium-duty passenger vehicles or other heavy-duty vehicles that emit zero greenhouse gas emissions; or

''(4) utilized primarily for the manufacture of ultra-efficient components.'';

(8) in subsection (h)—

(A) in the header, by striking ''AUTOMOBILE'' and inserting ''ADVANCED TECHNOLOGY VEHICLE''; and

(B) in paragraph (1)(B), by striking ''automobiles, or components of automobiles'' and inserting ''advanced technology vehicles, or components of advanced technology vehicles'';

(9) by striking subsection (i) and redesignating subsection (j) as subsection (i); and

(10) by adding at the end the following:

''(j) COORDINATION.—In carrying out this section, the Secretary shall coordinate with relevant vehicle, bioenergy, and hydrogen and fuel cell demonstration project activities supported by the Department.

''(k) OUTREACH.—In carrying out this section, the Secretary shall—

''(1) provide assistance with the completion of applications for awards or loans under this section; and

''(2) conduct outreach, including through conferences and online programs, to disseminate information on awards and loans under this section to potential applicants.

''(l) REPORT.—Not later than 2 years after the date of the enactment of this subsection, and every 3 years thereafter, the Secretary shall submit to Congress a report on the status of projects supported by a loan under this section, including—

''(1) a list of projects receiving a loan under this section, including the loan amount and construction status of each such project;

''(2) the status of each project's loan repayment, including future repayment projections;

''(3) data regarding the number of direct and indirect jobs retained, restored, or created by financed projects;

''(4) the number of new projects projected to receive a loan under this section in the next 2 years and the aggregate loan amount; and

''(5) any other metrics the Secretary finds appropriate.

''(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for each of fiscal years 2021 through 2025 to administer this section; and

''(2) $10,000,000 for fiscal year 2021, to remain available until expended, for administrative costs associated with loans under this section that are not covered by fees collected under subsection (f).''.

Subtitle F—Vehicles Used for Competition

SEC. 6601. TREATMENT OF VEHICLES NOT LEGAL FOR OPERATION ON A STREET OR HIGHWAY AND USED SOLELY FOR COMPETITION.

(a) TREATMENT.—An action with respect to any device or element of design referred to in paragraph (3) of section 203(a) of the Clean Air Act (42 U.S.C. 7522(a)) shall not be treated as a prohibited act under such paragraph if the action is for the purpose of modifying a motor vehicle that is not legal for operation on a street or highway and is to be used solely for competition.

(b) IMPLEMENTATION.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall promulgate final regulations as necessary to implement subsection (a).

TITLE VII—ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

SEC. 7001. ARPA–E AMENDMENTS.

(a) ESTABLISHMENT.—Section 5012(b) of the America COMPETES Act (42 U.S.C. 16538(b)) is amended by striking ''development of energy technologies'' and inserting ''development of transformative science and technology solutions to address the energy and environmental missions of the Department''.

(b) GOALS.—Section 5012(c) of the America COMPETES Act (42 U.S.C. 16538(c)) is amended—

(1) by striking paragraph (1)(A) and inserting the following:

''(A) to enhance the economic and energy security of the United States through the development of energy technologies that—

''(i) reduce imports of energy from foreign sources;

''(ii) reduce energy-related emissions, including greenhouse gases;

''(iii) improve the energy efficiency of all economic sectors;

''(iv) provide transformative solutions to improve the management, clean-up, and disposal of radioactive waste and spent nuclear fuel; and

''(v) improve the resilience, reliability, and security of infrastructure to produce, deliver, and store energy; and''; and

(2) in paragraph (2), in the matter preceding subparagraph (A), by striking ''energy technology projects'' and inserting ''advanced technology projects''.

(c) RESPONSIBILITIES.—Section 5012(e)(3)(A) of the America COMPETES Act (42 U.S.C. 16538(e)(3)(A)) is amended by striking ''energy''.

(d) REPORTS AND ROADMAPS.—Section 5012(h) of the America COMPETES Act (42 U.S.C. 16538(h)) is amended to read as follows:

''(h) REPORTS AND ROADMAPS.—

''(1) ANNUAL REPORT.—As part of the annual budget request submitted for each fiscal year, the Director shall provide to the relevant authorizing and appropriations committees of Congress a report that—

''(A) describes projects supported by ARPA–E during the previous fiscal year;

''(B) describes projects supported by ARPA–E during the previous fiscal year that examine topics and technologies closely related to other activities funded by the Department, and includes an analysis of whether in supporting such projects, the Director is in compliance with subsection (i)(1); and

''(C) describes current, proposed, and planned projects to be carried out pursuant to subsection (e)(3)(D).

''(2) STRATEGIC VISION ROADMAP.—Not later than October 1, 2021, and every four years thereafter, the Director shall provide to the relevant authorizing and appropriations committees of Congress a roadmap describing the strategic vision that ARPA–E will use to guide the choices of ARPA–E for future technology investments over the following 4 fiscal years.''.

(e) COORDINATION AND NONDUPLICATION.—Section 5012(i)(1) of the America COMPETES Act (42 U.S.C. 16538(i)(1)) is amended to read as follows:

''(1) IN GENERAL.—To the maximum extent practicable, the Director shall ensure that—

''(A) the activities of ARPA–E are coordinated with, and do not duplicate the efforts of, programs and laboratories within the Department and other relevant research agencies; and

''(B) ARPA–E does not provide funding for a project unless the prospective grantee demonstrates sufficient attempts to secure private financing or indicates that the project is not independently commercially viable.''.

(f) EVALUATION.—Section 5012(l) of the America COMPETES Act (42 U.S.C. 16538(l)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Not later than 3 years after the date of enactment of this paragraph, the Secretary is authorized to enter into a contract with the National Academy of Sciences under which the National Academy shall conduct an evaluation of how well ARPA–E is achieving the goals and mission of ARPA–E.''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''shall'' and inserting ''may''; and

(B) in subparagraph (A), by striking ''the recommendation of the National Academy of Sciences'' and inserting ''a recommendation''.

(g) AUTHORIZATION OF APPROPRIATIONS.—Paragraph (2) of section 5012(o) of the America COMPETES Act (42 U.S.C. 16538(o)) is amended to read as follows:

''(2) AUTHORIZATION OF APPROPRIATIONS.—Subject to paragraph (4), there are authorized to be appropriated to the Director for deposit in the Fund, without fiscal year limitation—

''(A) $497,000,000 for fiscal year 2021;

''(B) $567,000,000 for fiscal year 2022;

''(C) $651,000,000 for fiscal year 2023;

''(D) $750,000,000 for fiscal year 2024; and

''(E) $875,000,000 for fiscal year 2025.''.

(h) TECHNICAL AMENDMENTS.—Section 5012 of the America COMPETES Act (42 U.S.C. 16538) is amended—

(1) in subsection (g)(3)(A)(iii), by striking ''subpart'' each place it appears and inserting ''subparagraph''; and

(2) in subsection (o)(4)(B), by striking ''(c)(2)(D)'' and inserting ''(c)(2)(C)''.

TITLE VIII—TECHNOLOGY TRANSFER

SECTION 8001. DEFINITIONS.

In this title:

(1) CLEAN ENERGY TECHNOLOGY.—The term ''clean energy technology'' means a technology that significantly reduces energy use, increases energy efficiency, reduces greenhouse gas emissions, reduces emissions of other pollutants, or mitigates other negative environmental consequences.

(2) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(3) DIRECTOR.—The term ''Director'' means the Director of each National Laboratory and the Director of each Department of Energy single-purpose research facility.

(4) ECONOMICALLY DISTRESSED AREA.—The term ''economically distressed area'' has the meaning described in section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)).

(5) GRANT.—The term ''grant'' means a grant award, cooperative agreement award, or any other financial assistance arrangement that the Secretary of Energy determines to be appropriate.

(6) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in the Higher Education Act of 1965, as amended (20 U.S.C. 1001).

(7) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

Subtitle A—National Clean Energy Technology Transfer Programs

SEC. 8101. REGIONAL CLEAN ENERGY INNOVATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) REGIONAL CLEAN ENERGY INNOVATION PARTNERSHIP.—The term ''regional clean energy innovation partnership'' means a group of one or more persons, including a covered consortium, who perform a collection of activities that are coordinated by such covered consortium to carry out the purposes of the program under subsection (c) in a region of the United States.

(2) COVERED CONSORTIUM.—The term ''covered consortium'' means an individual or group of individuals in partnership with a government entity, including a State, local, or tribal government or unit of such government, and at least 2 or more of the following additional entities—

(A) an institution of higher education or higher education consortium;

(B) a workforce training provider, including vocational schools and community colleges;

(C) a private sector entity;

(D) a nonprofit organization;

(E) a community group;

(F) a labor group;

(G) a National Laboratory;

(H) a venture development organization;

(I) an organization focused on clean energy technology innovation or entrepreneurship;

(J) a business accelerator or incubator;

(K) a private sector entity or group of entities, including a trade or industry association;

(L) an economic development organization;

(M) a manufacturing facility or organization;

(N) a clean energy incubator or accelerator; or

(O) any other entity that the Secretary determines to be relevant.

(3) PROGRAM.—The term ''program'' means the Regional Clean Energy Innovation Program authorized in subsection (b).

(4) FRONTLINE COMMUNITY.—The term ''frontline community'' means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities, that experiences, or is at risk of experiencing higher or more adverse human health or environmental effects.

(b) IN GENERAL.—The Secretary shall establish a Regional Clean Energy Innovation Program designed to accelerate the pace of innovation of clean energy technologies through the formation or support of regional clean energy innovation partnerships that—

(1) are responsive to the energy resources, needs of industry, workforce, policy landscape, and clean energy innovation capabilities of the region of the country in which such partnership is located;

(2) enhance and accelerate clean energy innovation;

(3) are located in diverse geographic regions of the United States, including United States territories; and

(4) improve economic development outcomes in economically distressed areas.

(c) PURPOSES OF THE PROGRAM.—The purposes of the program established under subsection (a) are to—

(1) improve the competitiveness of United States' clean energy technology research, development, demonstration, and commercial application;

(2) to identify and leverage the competitive strengths of and address clean energy challenges that are particular to diverse geographic regions of the United States to stimulate innovation in clean energy technologies;

(3) support the development of clean energy innovation companies in diverse geographic regions of the United States;

(4) promote the economic development of and enhance the economic resilience of diverse geographic regions of the United States;

(5) support the development of tools and technologies best suited for use in low-income and frontline communities; and

(6) support the development of manufacturing capabilities and supply chains relevant to clean energy technologies in the United States.

(d) REGIONAL CLEAN ENERGY INNOVATION PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary shall competitively award grants to covered consortia to establish or support regional clean energy innovation partnerships that achieve the purposes of the program in subsection (c).

(2) PERMISSIBLE ACTIVITIES.—Grants awarded under this subsection shall be used for activities determined appropriate by the Secretary to achieve the purposes of the program in subsection (c), including—

(A) facilitating the commercial application of clean energy products, processes, and services, including through research, development, demonstration, technology transfer, or support of clean energy companies;

(B) planning among participants of a regional clean energy innovation partnership to improve the strategic coordination of the partnership;

(C) improving stakeholder involvement in the development of goals and activities of a regional clean energy innovation partnership;

(D) assessing different incentive mechanisms for clean energy development and commercial application in the region;

(E) hosting events and conferences; and

(F) establishing and updating roadmaps to measure progress on relevant goals, such as those relevant to metrics developed under subsection (g).

(3) APPLICATIONS.—Each application submitted to the Secretary under paragraph (1) may include—

(A) a list of members and roles of members of the covered consortia, as well as any other stakeholders supporting the activities of the regional clean energy innovation partnership;

(B) a description of the proposed outcomes of the regional clean energy innovation partnership;

(C) an assessment of the relevant clean energy innovation assets needed in a region to achieve proposed outcomes, such as education and training programs, research facilities, infrastructure or site development, access to capital, manufacturing capabilities, or other assets;

(D) a description of proposed activities that the regional clean energy innovation partnership plans to undertake and how the proposed activities will achieve the purposes described in subsection (c) and the proposed outcomes in subparagraph (B);

(E) a description of the geographical region that will engage in the partnership;

(F) a plan for attracting additional funds and identification of funding sources from non-Federal sources to deliver the proposed outcomes of the regional clean energy innovation partnership; and

(G) a plan for sustaining activities of the regional clean energy innovation partnership after funds received under this program have been expended.

(4) CONSIDERATIONS.—In selecting covered consortia for funding under the program, the Secretary shall—

(A) give special consideration to applications from entities located in an economically distressed area; and

(B) ensure that there is geographic diversity among the covered consortia selected to receive funding.

(5) AWARD AMOUNT.—Grants given out under this Program shall be in an amount not greater than $10,000,000, with the total grant award in any year less than that in the previous year.

(6) COST SHARE.—For grants that are disbursed over the course of three or more years, the Secretary shall require, as a condition of receipt of funds under this section, that a covered consortium provide not less than 50 percent of the funding for the activities of the regional clean energy partnership under this section for years 3, 4, and 5.

(7) DURATION.—Each grant under paragraph (1) shall be for a period of not longer than 5 years.

(8) RENEWAL.—A grant award made to a regional clean energy innovation partnership under this section may be renewed for a period of not more than 5 years, subject to a rigorous merit review based on the progress of a regional clean energy innovation partnership towards achieving the purposes of the program in subsection (c) and the metrics developed under subsection (g).

(9) ADMINISTRATIVE COSTS.—The Secretary may allow a covered consortium that receives funds under this section to allocate a portion of the funding received to be used for administrative or indirect costs.

(10) FUNDING.—The Secretary may accept funds from other Federal agencies to support funding and activities under this section.

(e) PLANNING FUNDS.—The Secretary may competitively award grants in an amount no greater than $2,000,000 for a period not longer than 2 years to an entity consisting of a government entity, including a State, local, or tribal government or unit of such government or any entity listed under subsection (a)(2) to plan a regional clean energy innovation partnership or establish a covered consortium for the purpose of applying for funds under subsection (b).

(f) INFORMATION SHARING.—As part of the program, the Secretary shall support the gathering, analysis, and dissemination of information on best practices for developing and operating successful regional clean energy innovation partnerships.

(g) METRICS.—In evaluating a grant renewals under section (d)(8), the Secretary shall work with program evaluation experts to develop and make publicly available metrics to assess the progress of a regional clean energy innovation partnership towards achieving the purposes of the program in section (c). Such metrics may include—

(1) the number and quality of—

(A) new clean energy companies created in the region as a result of activities carried out under the regional clean energy innovation partnership;

(B) new or expanded workforce development or training programs; and

(C) support services provided to clean energy technology developers in the region.

(2) changes in clean energy employment in the region as a result of activities carried out under the regional clean energy innovation partnership ; and

(3) the amount of capital investment in clean energy companies in the region as a result of activities carried out under the regional clean energy innovation partnership grant.

(h) COORDINATION.—In carrying out the program, the Secretary may coordinate with relevant programs at other Federal agencies, including—

(1) the Office of Innovation and Entrepreneurship under the Economic Development Administration, including the Regional Innovation Program under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722);

(2) the Hollings Manufacturing Extension Partnership Program under section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k);

(3) the Manufacturing USA Program under section 34(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278s);

(4) the Defense Manufacturing Communities Support Program under section 846 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2501 note); and

(5) the Office of Economic Adjustment at the Department of Defense.

(i) EVALUATION BY COMPTROLLER GENERAL.—Not later than 3 years after the date of the enactment of this Act, and every 3 years thereafter, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the operation of the program during the most recent 3-year period, including—

(1) an assessment of the progress made towards achieving the purposes specified in subsection (c) based on the metrics developed under subsection (g);

(2) the short-term and long-term metrics used to determine the success of the program under subsection (g), and any changes recommended to the metrics used;

(3) the regional clean energy innovation partnerships that have received grants under subsection (d); and

(4) any recommendations on how the program may be improved.

(j) NATIONAL LABORATORIES.—In supporting technology transfer activities at the National Laboratories, the Secretary shall encourage partnerships with entities that are located in the same region or State as a National Laboratory.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $50,000,000 for each of fiscal years 2021 through 2025.

SEC. 8102. NATIONAL CLEAN ENERGY INCUBATOR PROGRAM.

(a) CLEAN ENERGY INCUBATOR DEFINED.—In this section, the term ''clean energy incubator''—

(1) means any entity that is designed to accelerate the commercial application of clean energy technologies by providing—

(A) physical workspace, labs, and prototyping facilities to support clean energy startups or established clean energy companies; or

(B) companies developing such technologies with support, resources, and services, including—

(i) access to business education and counseling;

(ii) mentorship opportunities; and

(iii) other services rendered for the purpose of aiding the development and commercial application of a clean energy technology; and

(2) may include a program within or established by a National Laboratory, an institution of higher education or a State, local, or tribal government.

(b) PROGRAM ESTABLISHMENT.—Not later than 180 days after the enactment of this Act, the Secretary, acting through the Chief Commercialization Officer established in section 1001 (a) of the Energy Policy Act of 2005 (42 U.S.C. 16391 (a)), shall establish a Clean Energy Incubator Program (herein referred to as the ''program'') to competitively award grants to clean energy incubators.

(c) CLEAN ENERGY INCUBATOR SELECTION.—In awarding grants to clean energy incubators under subsection (b), the Secretary shall prioritize funding clean energy incubators that—

(1) partner with entities that carry out activities relevant to the activities of such incubator and that operate at the local, State, and regional levels;

(2) support the commercial application activities of startup companies focused on physical hardware, computational, or integrated hardware and software technologies;

(3) are located in geographically diverse regions of the United States;

(4) are located in, or partner with entities located in, economically-distressed areas;

(5) support the development of entities focused on expanding clean energy tools and technologies to low-income and frontline communities;

(6) support the commercial application of technologies being developed by clean energy entrepreneurs from underrepresented backgrounds; and

(7) have a plan for sustaining activities of the incubator after grant funds received under this program have been expended.

(d) AWARD LIMITS.—The Secretary shall not award more than $4,000,000 to one or more incubators in one given State, per fiscal year.

(e) DURATION.—Each grant under subsection (b) shall be for a period of no longer than 5 years, subject to the availability of appropriations.

(f) USE OF FUNDS.—An entity receiving a grant under this section may use grant amounts for operating expenses.

(g) RENEWAL.—An award made to a clean energy incubator under this section may be renewed for a period of not more than 3 years, subject to merit review.

(h) EVALUATION.—In accordance with section 8307(b) of this Act, the Secretary shall submit 3 years after the enactment of this Act and every 3 years thereafter to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and

Natural Resources of the Senate an evaluation of the program established under this section that includes analyses of the performance of the clean energy incubators.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $15,000,000 for each of fiscal years 2021 through 2025.

SEC. 8103. CLEAN ENERGY TECHNOLOGY UNIVERSITY PRIZE COMPETITION.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means a non-profit entity, an institution of higher education, or an entity working with one or more institutes of higher education.

(2) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(b) IN GENERAL.—The Secretary, acting through the Chief Commercialization Officer established in section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)), shall establish a program, known as the ''Clean Energy Technology University Prize'', to award funding for eligible entities to carry out regional and one national clean energy technology prize competitions, under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719). In carrying out such prize competitions, students shall compete to develop a business model for furthering the commercial application of an innovative clean energy technology. The purpose of this program is to encourage student interest in clean energy technology development and to help students solve challenges in clean energy technology commercial application, with participation from diverse geographical regions of the United States.

(c) TRAINING FUNDING.—In carrying out this program, the Secretary may provide funding to train participating students in skills needed for the successful commercial application of clean energy technologies, including through virtual training sessions.

(d) PRIORITIZATION.—In awarding grants under this section, the Secretary shall prioritize awarding grants to eligible entities that work with students at minority-serving institutions.

(e) COORDINATION.—In carrying out this program, the Secretary shall coordinate and partner with existing clean energy technology prize competitions. In doing so, the Secretary may develop and disseminate best practices for administering prize competitions under this section.

(f) REPORT.—In accordance with section 8307(a) of this Act, the Secretary shall report annually on the progress and implementation of the program established under subsection (b).

(g) EVALUATION.—In accordance with section 8307(b) of this Act, the Secretary shall submit 3 years after the enactment of this Act and every 3 years thereafter to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the long-term outcomes of the program established under this section and the progress towards achieving the purposes of the program in subsection (b).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities authorized in this section $1,000,000 for each of fiscal years 2021 through 2025.

SEC. 8104. ENERGY I-CORPS.

(a) IN GENERAL.—The Secretary of Energy (hereinafter in this section referred to as the ''Secretary''), acting through the Chief Commercialization Officer established in section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)), shall carry out a program to support commercial application education, training, professional development, and mentorship called the ''Energy Innovation Corps Program'' (hereinafter in this section referred to as ''Energy I-Corps'').

(b) PURPOSE.—The purposes of Energy I-Corps shall be to help participants described in subsection (c) develop skills and to accelerate the commercial application of clean energy technologies and other technologies related to the mission of the Department of Energy.

(c) PARTICIPANTS.—The Secretary shall carry out this program for participants consisting of—

(1) employees at the National Laboratories; and

(2) researchers, students, and clean energy entrepreneurs.

(d) ACTIVITIES.—In carrying out Energy I-Corps, the Secretary shall support—

(1) commercial application education, training, and mentoring activities, including workshops, seminars, and short courses;

(2) engagement with private sector entities to identify future research and development activities; and

(3) any other activities that the Secretary determines to be relevant.

(e) STATE AND LOCAL PARTNERSHIPS.—In carrying out Energy I-Corps, the Secretary may engage in partnerships with National Laboratories, State and local governments, economic development organizations, and nonprofit organizations to broaden access to Energy I-Corps and support relevant activities under this subsection.

(f) FEDERAL COORDINATION.—In carrying out Energy I-Corps, the Secretary may coordinate with any other Federal science agency program that carries out a similar program to support entrepreneurial and commercial application education, training, professional development, and mentorship in order to share best practices.

(g) EVALUATION.—The Secretary shall submit 3 years after the enactment of this Act and every 3 years thereafter to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the long-term effectiveness of the Energy I-Corps program and the progress towards achieving the purposes of the program in subsection (a).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Chief Commercialization Officer established in section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)) to carry out the activities authorized in subsection (a)—

(1) for participants under subsection (c)(1) $3,000,000 for each of fiscal years 2021 through 2025; and

(2) for participants under subsection (c)(2) $2,000,000 for each of fiscal years 2021 through 2025.

SEC. 8105. CLEAN ENERGY TECHNOLOGY TRANSFER COORDINATION.

(a) IN GENERAL.—The Secretary, acting through the Chief Commercialization Officer established in section 1001 (a) of the Energy Policy Act of 2005 (42 U.S.C. 16391 (a)), shall support the coordination of relevant technology transfer programs, including those authorized in sections 8101, 8102, 8103, 8104, 8202, and 8206 of this Act, that advance the commercial application of clean energy technologies nationally and across all energy sectors. In particular, the Secretary may support activities to—

(1) facilitate the sharing of information on best practices for successful operation of clean energy technology transfer programs;

(2) coordinate resources and improve cooperation among clean energy technology transfer programs;

(3) facilitate connections between entrepreneurs and start-up companies and the variety of programs related to clean energy technology transfer under the Department; and

(4) facilitate the development of metrics to measure the impact of clean energy technology transfer programs on—

(A) advancing the development, demonstration, and commercial application of clean energy technologies;

(B) increasing the competitiveness of United States in the clean energy sector, including in manufacturing; and

(C) commercial application of clean energy technologies being developed by entrepreneurs from under-represented backgrounds.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities in this section $3,000,000 for each of fiscal years 2021 through 2025.

Subtitle B—Supporting Technology Development At the National Laboratories

SEC. 8201. LAB PARTNERING SERVICE PILOT PROGRAM.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary, acting through the Chief Commercialization Officer established in section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)), shall establish a Lab Partnering Service Pilot Program (hereinafter in this section referred to as the ''pilot program'').

(2) PURPOSES.—The purposes of the pilot program are to provide services that encourage and support partnerships between the National Laboratories and public and private sector entities, and to improve communication of research, development, demonstration, and commercial application projects and opportunities at the National Laboratories to potential partners through the development of a website and the provision of services, in collaboration with relevant external entities.

(3) ACTIVITIES.—In carrying out this pilot program, the Secretary shall—

(A) conduct outreach to and engage with relevant public and private entities;

(B) identify and disseminate best practices for strengthening connections between the National Laboratories and public and private sector entities; and

(C) develop a website to disseminate information on—

(i) different partnering mechanisms for working with the National Laboratories;

(ii) National Laboratory experts and research areas; and

(iii) National Laboratory facilities and user facilities.

(b) METRICS.—The Secretary shall support the development of metrics, including conversion metrics, to determine the effectiveness of the pilot program in achieving the purposes in subsection (a) and the number and types of partnerships established between public and private sector entities and the National Laboratories compared to baseline data.

(c) COORDINATION.—In carrying out the activities authorized in this section, the Secretary shall coordinate with the Directors and dedicated technology transfer staff at the National Laboratories, in particular for matchmaking services for individual projects, which should be led by the National Laboratories.

(d) FUNDING EMPLOYEE PARTNERING ACTIVITIES.—The Secretary shall delegate to the Directors the authority to compensate National Laboratory employees providing services under this section.

(e) DURATION.—Subject to the availability of appropriations, the pilot program established in this section shall operate for not less than 3 years and may be built off an existing program.

(f) EVALUATION.—Not later than 6 months after the completion of this pilot program, the Secretary shall support the evaluation of the success of the pilot program in achieving the purposes in subsection (a) and shall submit the evaluation to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. The assessment shall include analyses of the performance of the pilot program based on the metrics developed under subsection (b).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the

Secretary $2,000,000 for each of fiscal years 2021 through 2023 to carry out subsections (a), (b), (c), (e), and (f) and $1,700,000 for each of fiscal years 2021 through 2023 for national laboratory employees to provide services under subsection (d).

SEC. 8202. LAB-EMBEDDED ENTREPRENEURSHIP PROGRAM.

(a) IN GENERAL.—The Secretary shall competitively award grants to National Laboratories for the purpose of establishing or supporting Lab-Embedded Entrepreneurship Programs.

(b) PURPOSES.—The purposes of such programs are to provide entrepreneurial fellows with access to National Laboratory research facilities, National Laboratory expertise, and mentorship to perform research and development and gain expertise that may be required or beneficial for the commercial application of research ideas.

(c) ENTREPRENEURIAL FELLOWS.—An entrepreneurial fellow participating in a program described in subsection (a) shall be provided with—

(1) opportunities for entrepreneurial training, professional development, and exposure to leaders from academia, industry, government, and finance who may serve as advisors to or partners of the fellow;

(2) financial and technical support for research, development, and commercial application activities;

(3) fellowship awards to cover costs of living, health insurance, and travel stipends for the duration of the fellowship; and

(4) any other resources determined appropriate by the Secretary.

(d) PROGRAM ACTIVITIES.—Each eligible entity that receives funding under this section shall support entrepreneurial fellows by providing—

(1) access to facilities and expertise within the National Laboratory;

(2) engagement with external stakeholders; and

(3) market and customer development opportunities.

(e) ADMINISTRATION.—Eligible entities that receive grants under this section shall prioritize the support and success of the entrepreneurial fellow with regards to professional development and development of a relevant technology.

(f) PARTNERSHIPS.—In carrying out a Lab-Embedded Entrepreneurship Program, a National Laboratory may partner with an external entity, including—

(1) a nonprofit organization;

(2) an institution of higher education; or

(3) a federally-owned corporation.

(g) METRICS.—The Secretary shall support the development of short-term and long-term metrics to assess the effectiveness of programs receiving a grant under subsection (a) in achieving the purposes of the program in subsection (b).

(h) EVALUATION.—In accordance with section 8307(b) of this Act, not later than 3 years after the date of the enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation of the effectiveness of the programs under subsection (a) based on the metrics developed pursuant to subsection (g).

(i) COORDINATION.—The Secretary shall oversee the planning and coordination of grants under subsection (a) and shall identify and disseminate best practices for achieving the purposes of subsection (b) to eligible entities that receive grants under this section.

(j) INTERAGENCY COLLABORATION.—The Secretary shall collaborate with other executive branch agencies, including the Department of Defense and other agencies with federal laboratories, regarding opportunities to partner with programs receiving a grant under subsection (a).

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities authorized in this section $25,000,000 for each of fiscal years 2021 through 2025.

SEC. 8203. SMALL BUSINESS VOUCHER PROGRAM.

Section 1003 of the Energy Policy Act of 2005 (42 U.S.C. 16393) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking '', and may require the Director of a single-purpose research facility,'' and inserting ''(as defined in section 2) and the Director of each single-purpose research facility'';

(B) in paragraph (1)—

(i) by striking ''increase'' and inserting ''encourage''; and

(ii) by striking ''collaborative research,'' and inserting ''research, development, demonstration, and commercial application activities, including product development,'';

(C) in paragraph (2), by striking ''procurement and collaborative research'' and inserting ''procurement and the activities described in paragraph (1)'';

(D) in paragraph (3)—

(i) by inserting ''facilities,'' before ''training''; and

(ii) by striking ''procurement and collaborative research activities'' and inserting ''procurement and the activities described in paragraph (1)''; and

(E) in paragraph (5), by striking ''for the program under subsection (b)'' and inserting ''and metrics for the programs under subsections (b) and (c)'';

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

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

''(c) SMALL BUSINESS VOUCHER PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) DIRECTOR.—The term 'Director' means—

''(i) the Director of each National Laboratory; and

''(ii) the Director of each single-purpose research facility.

''(B) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 2.

''(C) PROGRAM.—The term 'program' means the program established under paragraph (2).

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

''(2) ESTABLISHMENT.—The Secretary, acting through the Chief Commercialization Officer appointed under section 1001(a), and in consultation with the Directors, shall establish a program to provide small business concerns with vouchers under paragraph (3)—

''(A) to achieve the goal described in subsection (a)(1); and

''(B) to improve the products, services, and capabilities of small business concerns in the mission space of the Department.

''(3) VOUCHERS.—Under the program, the Directors are authorized to provide to small business concerns vouchers to be used at National Laboratories and single-purpose research facilities for—

''(A) research, development, demonstration, technology transfer, or commercial application activities; or

''(B) any other activities that the applicable Director determines appropriate.

''(4) EXPEDITED APPROVAL.—The Secretary, working with the Directors, shall establish a streamlined approval process for financial assistance agreements signed between—

''(A) small business concerns selected to receive a voucher under the program; and

''(B) the National Laboratories and single-purpose research facilities.

''(5) COST-SHARING REQUIREMENT.—In carrying out the program, the Secretary shall require cost-sharing in accordance with section 988; and

''(6) REPORT.—In accordance with section 8307(a) of the Clean Economy Jobs and Innovation Act, the Secretary shall report annually on the progress and implementation of the small business voucher program established under this section, including the number and locations of small businesses that received grants under this program.''; and

(4) in subsection (e) (as so redesignated), by striking ''for activities under this section'' and inserting ''for activities under subsection (b)'' and inserting at the end ''and for activities under subsection (c) $25,000,000 for each of fiscal years 2021 through 2025''.

SEC. 8204. ENTREPRENEURIAL LEAVE PROGRAM.

(a) IN GENERAL.—The Secretary shall delegate to Directors the authority to carry out an entrepreneurial leave program (referred to in this section as the ''program'') to allow National Laboratory employees to take a full leave of absence from their position, with the option to return to that or a comparable position up to 3 years later, or a partial leave of absence, to advance the commercial application of energy and related technologies relevant to the mission of the Department.

(b) TERMINATION AUTHORITY.—Directors shall retain the authority to terminate National Laboratory employees that participate in the program if such employees are found to violate terms prescribed by the National Laboratory at which such employee is employed.

(c) LICENSING.—To reduce barriers to participation in the program, the Secretary shall delegate to the Directors the requirement to establish streamlined mechanisms for facilitating the licensing of technology that is the focus of National Laboratory employees who participate in the program.

(d) REPORT.—In accordance with section 8307(a) of this Act, the Secretary shall report annually on the utilization of this authority at national laboratories, including the number of employees who participate in this program at each national laboratory and the number of employees who take a permanent leave from their positions at national laboratories as a result of participating in this program.

(e) FEDERAL ETHICS.—Nothing in this section shall affect existing federal ethics rules applicable to federal personnel.

SEC. 8205. NATIONAL LABORATORY EMPLOYEE OUTSIDE EMPLOYMENT AUTHORITY.

(a) IN GENERAL.—The Secretary shall delegate to Directors of National Laboratories the authority to allow their employees—

(1) to engage in outside employment, including start-up companies based on licensing technologies developed at National Laboratories and consulting in their areas of expertise, and receive compensation from such entities; and

(2) to engage in outside activities related to their areas of expertise at the National Laboratory and may allow employees, in their employment capacity at such outside employment, to access the National Laboratories under the same contracting mechanisms as non-laboratory employees and entities, in accordance with appropriate conflict of interest protocols.

(b) REQUIREMENTS.—If a Director elects to use the authority granted by subsection (a) of this section, the Director, or their designee, shall—

(1) require employees to disclose to and obtain approval from the Director or their designee prior to engaging in any outside employment;

(2) develop and require appropriate conflict of interest protocols for employees that engage in outside employment; and

(3) maintain the authority to terminate employees engaging in outside employment if they are found to violate terms, including conflict of interest protocols, mandated by the Director.

(c) ADDITIONAL RESTRICTIONS.—Employees engaging in outside employment may not—

(1) sacrifice, hamper, or impede their duties at the National Laboratory;

(2) engage in activities related to outside employment using National Laboratory government equipment, property, or resources, unless

such activities are performed under National Laboratory contracting mechanisms, such as Cooperative Research and Development Agreement or Strategic Partnership Projects, whereby all conflicts of interest requirements apply; or

(3) use their position at a National Laboratory to provide an unfair competitive advantage to an outside employer or start-up activity.

(d) FEDERAL ETHICS.—Nothing in this section shall affect existing federal ethics rules applicable to federal personnel.

SEC. 8206. TECHNOLOGY COMMERCIALIZATION FUND.

Section 1001(e) of the Energy Policy Act of 2005 (42 U.S.C. 16391(e)) is amended to read as follows:

''(e) TECHNOLOGY COMMERCIALIZATION FUND.—

''(1) ESTABLISHMENT.—The Secretary, acting through the Chief Commercialization Officer established in section 1001 (a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)), shall establish a Technology Commercialization Fund (hereafter referred to as the 'Fund'), using nine-tenths of one percent of the amount of appropriations made available to the Department for applied energy research, development, demonstration, and commercial application for each fiscal year, to be used to provide, in accordance with the cost-sharing requirements under section 988, funds to national laboratories to promote promising energy technologies for commercial purposes with private partners.

''(2) APPLICATIONS.—

''(A) CONSIDERATIONS.—The Secretary shall develop criteria for evaluating applications for funding under this section, which may include—

''(i) the potential that a proposed technology will result in a commercially successful product within a reasonable timeframe; and

''(ii) the relative maturity of a proposed technology for commercial application.

''(B) SELECTIONS.—In awarding funds under this section, the Secretary may give special consideration to applications that involve at least one applicant that has participated in an entrepreneurial or commercialization training program, such as Energy Innovation Corps.

''(3) ANNUAL REPORT.—The Secretary shall include in the annual report required under subsection (h)(2)—

''(A) description of the projects carried out with awards from the Fund for that fiscal year;

''(B) each project's cost-share for that fiscal year;

''(C) each project's partners for that fiscal year.

''(4) EVALUATION.—In accordance with section 8307(b) of the Clean Economy Jobs and Innovation Act, the Secretary shall submit 3 years after the enactment of that Act and every 3 years thereafter to the Committee on Science, Space, and Technology Committee of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the long-term commercial success of projects that received awards from the Fund.

''(5) TECHNOLOGY COMMERCIALIZATION FUND REPORT.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Energizing Technology Transfer Act, the Secretary shall submit to the Committee on Science, Space, and Technology and Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources and Committee on Appropriations of the Senate a report on the current and recommended implementation of the Fund.

''(B) CONTENTS.—The report under subparagraph (A) shall include—

''(i) a summary, with supporting data, of how much Department program offices contribute to and use the Fund each year, including a list of current funding restrictions;

''(ii) recommendations on how to improve implementation and administration of the Fund; and

''(iii) an analysis on how to spend funds optimally on technology areas that have the greatest need and opportunity for commercial application, rather than spending funds at the programmatic level or under current funding restrictions.''.

SEC. 8207. SIGNATURE AUTHORITY.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary shall delegate to Directors of the National Laboratories signature authority with respect to any agreement described in subsection (b) the total cost of which, including the National Laboratory contributions and project recipient cost share, is less than $1,000,000, if such an agreement falls within the scope of—

(1) the strategic plan for the National Laboratory or a master scope of work that has been approved by the Department; or

(2) the most recent budget approved by Congress for Department activities to be carried out by the National Laboratory.

(b) AGREEMENTS.—Subsection (a) applies to—

(1) a cooperative research and development agreement;

(2) a strategic partnership project;

(3) prize competitions;

(4) an agreement for commercializing technology; or

(5) any other agreement determined to be appropriate by the Secretary, in collaboration with the Directors.

(c) ADMINISTRATION.—

(1) ACCOUNTABILITY.—The Director of the affected National Laboratory and the affected contractor shall carry out an agreement under this section in accordance with applicable policies of the Department, including by ensuring that the agreement does not compromise any national security, economic, or environmental interest of the United States.

(2) CERTIFICATION.—The Director of the affected National Laboratory and the affected contractor shall certify that each activity carried out under a project for which an agreement is entered into under this section does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(3) AVAILABILITY OF RECORDS.—Not later than 30 days after the date on which a Director enters an agreement under this section, such Director shall submit to the Secretary for monitoring and review all records of the National Laboratory relating to the agreement.

(d) APPROVAL.—Upon granting the signature authority under subsection (a), the Secretary may not require any additional reviews or approvals of draft agreements, statements of work, or other documents for agreements that meet the criteria under subsection (a).

(e) EXCEPTION.—This section does not apply to any agreement with a foreign-controlled entity or entity under the majority control of any foreign entity.

(f) REPORT.—In accordance with section 8307(a) of this Act, the Secretary shall submit annually information on the number and types of agreements signed using the authorities granted under this section.

(g) EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Science, Space, and Technology Committee of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation of the efficacy of reducing administrative burden for agreements signed using the authorities granted under this section.

(h) CONFORMING AMENDMENT.—Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(B) by striking ''Each Federal agency'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), each Federal agency''; and

(C) by adding at the end the following:

''(2) EXCEPTION.—Notwithstanding paragraph (1), in accordance with section 8207 of the Clean Economy Jobs and Innovation Act, approval by the Secretary of Energy shall not be required for any agreement proposed to be entered into by a National Laboratory of the Department of Energy, the total cost of which, including the National Laboratory contributions and project recipient cost share, is less than $1,000,000.''; and

(2) in subsection (b), by striking ''subsection (a)(1)'' each place it appears and inserting ''subsection (a)(1)(A)''.

Subtitle C—Department of Energy Modernization

SEC. 8301. TECHNOLOGY TRANSFER PROGRAM.

(a) CHIEF COMMERCIALIZATION OFFICER.—Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended—

(1) by amending subsection (a) to read as follows:

''(a) CHIEF COMMERCIALIZATION OFFICER.—The Secretary shall appoint a Chief Commercialization Officer to be the principal advisor to the Secretary on all matters relating to technology transfer and commercialization, and who shall report directly to, and be appointed by, the Secretary.''; and

(2) in subsections (b) and (c), by striking ''Coordinator'' each place it appears and inserting ''Chief Commercialization Officer''.

(b) OFFICE OF TECHNOLOGY TRANSITIONS.—Title X of the Energy Policy Act of 2005 (42 U.S.C. 16391 et. seq.) is amended by adding at the end the following:

''SEC. 1012. TECHNOLOGY TRANSFER PROGRAM.

''(a) OFFICE OF TECHNOLOGY TRANSITIONS.—There is established within the Department an Office of Technology Transitions (referred to in this section as the 'Office'), which shall be headed by the Chief Commercialization Officer appointed under section 1001(a).

''(b) MISSION.—The mission of the Office shall be—

''(1) to expand the commercial impact of the research investments of the Department; and

''(2) to advance the commercial application of technologies that reduce energy use, reduce greenhouse gas emissions and other pollutants, improve energy efficiency, mitigate other negative environmental consequences, or support other missions of the Department.

''(c) GOALS.—

''(1) IN GENERAL.—In carrying out the mission and activities of the Office, the Chief Commercialization Officer shall, with respect to commercial application activities, meet all of the goals described in paragraph (2).

''(2) GOALS DESCRIBED.—The goals referred to in paragraph (1) are the following:

''(A) Reduction of greenhouse gas emissions or other pollutants.

''(B) Improvement of energy efficiency.

''(C) Improvement of economic competitiveness.

''(D) Enhancement of domestic energy security and national security.

''(E) Enhancement of the domestic workforce relevant to energy and other sectors relevant to the mission of the Department.

''(d) HIRING AND MANAGEMENT.—To carry out the activities authorized in this section, the Under Secretary for Science may appoint personnel using the authorities in section 8306 of the Clean Economy Jobs and Innovation Act.

''(e) COLLABORATION.—In carrying out the mission and activities of the Office of Technology Transitions, the Chief Commercialization Officer shall coordinate with the senior leadership of the Department, other relevant offices of the Department, the Directors, the National Laboratories, the Technology Transfer Working Group established under section 1001(d), the

Technology Transfer Policy Board, and other stakeholders, including private industry.

''(f) REPORT.—In accordance with section 8307(a) of the Clean Economy Jobs and Innovation Act, the Secretary shall report annually on the activities carried out by the Office of Technology Transitions pertaining to the mission of the program in subsection (b) and the goals in subsection (c).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities authorized in this section $20,000,000 for each of fiscal years 2021 through 2025.''.

SEC. 8302. MANAGEMENT OF DEMONSTRATION PROJECTS.

(a) MANAGEMENT OF DEPARTMENT OF ENERGY DEMONSTRATION PROJECTS.—The Secretary shall establish a program to conduct project management and oversight of demonstration projects that receive more than $50,000,000 in funding from the Department, in coordination with relevant staff from Department program offices. The purposes of this program are to—

(1) conduct evaluation of demonstration project proposals prior to selection of a project for funding;

(2) conduct independent oversight of the execution of a demonstration project once funding has been awarded for such project; and

(3) ensure a balanced portfolio of investments in clean energy technology demonstration projects.

(b) DEMONSTRATION PROJECT MANAGEMENT EMPLOYEES.—

(1) AUTHORITY.—In carrying out the program under subsection (a), the Under Secretary for Science shall appoint at least 2 full time employees to achieve the purposes of the program outlined in subsection (a) in coordination with relevant staff at Department program offices.

(2) HIRING AUTHORITY.—To carry out the program authorized in this section, the Under Secretary for Science may hire personnel using the authorities in section 8306 of this Act.

(c) DUTIES.—In carrying out the program in subsection (a), employees under this section shall work with relevant staff from Department program offices to—

(1) evaluate demonstration project proposals, including the scope, technical specifications, maturity of design, funding profile, estimated costs, proposed schedule, proposed technical and financial milestones, and potential for commercial success based on economic and policy projections;

(2) develop independent cost estimates of demonstration project proposals, when appropriate;

(3) recommend to the director of a program office whether to fund a demonstration project proposal;

(4) oversee the execution of the demonstration projects that receive funding from the Department under this section and conduct reviews of ongoing projects, which may include reconciling estimated costs as compared to actual costs and evaluating progress of the project based on the proposed schedule and technical and financial milestones, and provide such reviews to the Secretary; and

(5) assess lessons learned and implement improvements to evaluate and oversee demonstration projects carried out under this section.

(d) PROJECT TERMINATION.—Should an ongoing demonstration project receive an unfavorable review under subsection (c)(4), the director of a Department program office or their designee may cease funding the demonstration project and reallocate the remaining funds to new or existing demonstration projects carried out by that program office.

(e) COORDINATION.—In establishing and carrying out the program, the Secretary shall coordinate with project management and acquisition management entities within the Department, including the Office of Project Management, and relevant professional organizations in project management, construction, cost estimation, and other relevant fields.

(f) REPORTING.—In accordance with section 8307(a), the Secretary shall report annually on the utilization of the authority granted under this section, including a summary of—

(1) any demonstration projects currently being carried out under this section; and

(2) a summary of the reviews under subsection (c)(4) of any ongoing demonstration projects carried out under this section.

(g) EVALUATION BY COMPTROLLER GENERAL.—Not later than 3 years after the date of the enactment of this Act the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the operation of the program established under this section, including—

(1) the processes and procedures used to evaluate demonstration project proposals and oversee demonstration projects that receive funding under this section;

(2) any recommended changes to the program, including the structure and the processes and procedures used to evaluate and oversee demonstration projects that receive funding under this section; and

(3) any recommended changes to the structure of this program to improve the success in meeting the program purposes under subsection (a).

SEC. 8303. STREAMLINING PRIZE COMPETITIONS.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by inserting after subsection (d) the following (and redesignating subsections (e) and (f) as subsections (g) and (h), respectively):

''(e) COORDINATION.—In carrying out subsection (a), and for any prize competitions under section 105 of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Reauthorization Act of 2010, the Secretary shall—

''(1) designate at least one full time employee to serve as a Department-wide point of contact on prize competitions;

''(2) issue Department-wide guidance on the design, development, and implementation of prize competitions;

''(3) collect and disseminate best practices on the design and administration of prize competitions;

''(4) streamline contracting mechanisms for the implementation of prize competitions; and

''(5) provide training and prize competition design support, as necessary, to Department staff to develop prize competitions and challenges.

''(f) REPORT.—In accordance with section 8307(a) of the Clean Economy Jobs and Innovation Act, the Secretary shall report annually on a description of any prize competitions carried out using this authority, the total amount of prizes awarded along with any private sector contributions, the methods used for solicitation and evaluation, and a description of how each prize competition advanced the mission of the Department.''.

SEC. 8304. MILESTONE-BASED DEMONSTRATION PROJECTS.

(a) IN GENERAL.—Acting under section 646(g) of the Department of Energy Organization Act (42 U.S.C. 7256(g)), notwithstanding paragraph (10) of such section, the Secretary may carry out demonstration projects as a milestone-based demonstration project that requires particular technical and financial milestones to be met before a participant is awarded grants by the Department through a competitive award process.

(b) REQUIREMENTS.—In carrying out milestone-based demonstration projects under the authority in subsection (a), the Secretary shall, for each relevant project,—

(1) request proposals from eligible entities, as determined by the Secretary, including—

(A) a business plan, that may include a plan for scalable manufacturing and a plan for addressing supply chain gaps;

(B) a plan for raising private sector investment; and

(C) proposed technical and financial milestones, including estimated project timelines and total costs; and

(2) award funding of a predetermined amount to projects that successfully meet proposed milestones under paragraph (1)(C) or for expenses deemed reimbursable by the Secretary, in accordance with terms negotiated for an individual award;

(3) require cost-sharing in accordance with section 988 of the Energy Policy Act of 2005; and

(4) communicate regularly with selected eligible entities and, if the Secretary deems appropriate, exercise small amounts of flexibility for technical and financial milestones as projects mature.

(c) AWARDS.—For the program established under subsection (a)—

(1) an award recipient shall be responsible for all costs until milestones are achieved, or reimbursable expenses are reviewed and verified by the Department; and

(2) should an awardee not meet the milestones described in subsection (a), the Secretary or their designee may end the partnership with an award recipient and use the remaining funds in the ended agreement for new or existing projects carried out under this section.

(d) PROJECT MANAGEMENT.—In carrying out projects under this program and assessing the completion of their milestones in accordance with subsection (b), the Secretary shall consult with experts that represent diverse perspectives and professional experiences, including those from the private sector, to ensure a complete and thorough review.

(e) REPORT.—In accordance with section 8307(a), the Secretary shall report annually on any demonstration projects carried out using the authorities under this section.

SEC. 8305. COST-SHARE WAIVER EXTENSION.

(a) Section 988 of the Energy Policy Act of 2005 is amended in subsection (b)(4)(B) by striking ''this paragraph'' and inserting ''the Energizing Technology Transfer Act''; and

(b) Section 108 of the Department of Energy Research and Innovation Act is amended in subparagraph (b) by striking ''this Act'' everywhere it appears and replacing with ''title VIII of the Clean Economy Jobs and Innovation Act''.

SEC. 8306. SPECIAL HIRING AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND PROJECT MANAGEMENT PERSONNEL.

(a) IN GENERAL.—The Under Secretary for Science shall have the authority to—

(1) make appointments of scientific, engineering, and professional personnel, without regard to civil service laws, to assist the Department in meeting specific project or research needs;

(2) fix the basic pay of any employee appointed under this section at a rate to be determined by the Under Secretary at rates not in excess of the Executive Schedule (EX–II) without regard to the civil service laws; and

(3) pay any employee appointed under this section payments in addition to basic pay, except that the total amount of additional payments paid to an employee under this subsection for any 12-month period shall not exceed the lesser of the following amounts:

(A) $25,000.

(B) The amount equal to 25 percent of the annual rate of basic pay of that employee.

(C) The amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(b) TERM.—

(1) IN GENERAL.—The term of any employee appointed under this section shall not exceed 3 years unless otherwise authorized in law.

(2) TERMINATION.—The Under Secretary for Science shall have the authority to terminate any employee appointed under this section at any time based on performance or changing project or research needs of the Department.

SEC. 8307. TECHNOLOGY TRANSFER REPORTS AND EVALUATION.

(a) ANNUAL REPORT.—As part of the updated technology transfer execution plan required each year under section 1001(h)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16391(g)(2)), the Secretary shall submit to the Committee on Science, Space, and Technology Committee of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the progress and implementation of programs established under sections 8103, 8203, 8204, 8205, 8207, 8301, 8302, 8303, and 8304 of this Act and section 1001(e) of the Energy Policy Act of 2005 (42 U.S.C. 16391(e)).

(b) EVALUATION.—Not later than 3 years after the enactment of this Act and every 3 years thereafter the Secretary shall submit to the Committee on Science, Space, and Technology Committee of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the extent to which programs established under sections 8102, 8103, 8104, and 8202 of this Act and section 1001(e) of the Energy Policy Act of 2005 (42 U.S.C. 16391(e)) are achieving success based on relevant short-term and long-term metrics.

(c) REPORT ON TECHNOLOGY TRANSFER GAPS.—Not later than 3 years after the enactment of this Act, the Secretary shall enter into an agreement with the National Academies of Science, Engineering and Medicine to submit to the Committee on Science, Space, and Technology Committee of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on programmatic gaps that exist to advance the commercial application of technologies developed at the National Laboratories.

SEC. 8308. OTHER TRANSACTION AUTHORITY EXTENSION.

Subsection 646(g)(10) of the Department of Energy Organization Act (42 U.S.C. 7256(g)(10)) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2025''.

TITLE IX—INDUSTRIAL INNOVATION AND COMPETITIVENESS

Subtitle A—Smart Manufacturing

SEC. 9101. DEFINITIONS.

In this subtitle:

(1) ENERGY MANAGEMENT SYSTEM.—The term ''energy management system'' means a business management process based on standards of the American National Standards Institute that enables an organization to follow a systematic approach in achieving continual improvement of energy performance, including energy efficiency, security, use, and consumption.

(2) INDUSTRIAL ASSESSMENT CENTER.—The term ''industrial assessment center'' means a center located at an institution of higher education that—

(A) receives funding from the Department of Energy;

(B) provides an in-depth assessment of small- and medium-sized manufacturer plant sites to evaluate the facilities, services, and manufacturing operations of the plant site; and

(C) identifies opportunities for potential savings for small- and medium-sized manufacturer plant sites from energy efficiency improvements, waste minimization, pollution prevention, and productivity improvement.

(3) INFORMATION AND COMMUNICATION TECHNOLOGY.—The term ''information and communication technology'' means any electronic system or equipment (including the content contained in the system or equipment) used to create, convert, communicate, or duplicate data or information, including computer hardware, firmware, software, communication protocols, networks, and data interfaces.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(6) NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM.—The term ''North American Industry Classification System'' means the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data relating to the business economy of the United States.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SMALL AND MEDIUM MANUFACTURERS.—The term ''small and medium manufacturers'' means manufacturing firms—

(A) classified in the North American Industry Classification System as any of sectors 31 through 33;

(B) with gross annual sales of less than $100,000,000;

(C) with fewer than 500 employees at the plant site; and

(D) with annual energy bills totaling more than $100,000 and less than $2,500,000.

(9) SMART MANUFACTURING.—The term ''smart manufacturing'' means advanced technologies in information, automation, monitoring, computation, sensing, modeling, and networking that—

(A) digitally—

(i) simulate manufacturing production lines;

(ii) operate computer-controlled manufacturing equipment;

(iii) monitor and communicate production line status; and

(iv) manage and optimize energy productivity and cost throughout production;

(B) model, simulate, and optimize the energy efficiency of a factory building;

(C) monitor and optimize building energy performance;

(D) model, simulate, and optimize the design of energy efficient and sustainable products, including the use of digital prototyping and additive manufacturing to enhance product design;

(E) connect manufactured products in networks to monitor and optimize the performance of the networks, including automated network operations; and

(F) digitally connect the supply chain network.

SEC. 9102. DEVELOPMENT OF NATIONAL SMART MANUFACTURING PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the National Academies, shall develop and complete a national plan for smart manufacturing technology development and deployment to improve the productivity and energy efficiency of the manufacturing sector of the United States.

(b) CONTENT.—

(1) IN GENERAL.—The plan developed under subsection (a) shall identify areas in which agency actions by the Secretary and other heads of relevant Federal agencies would—

(A) facilitate quicker development, deployment, and adoption of smart manufacturing technologies and processes;

(B) result in greater energy efficiency and lower environmental impacts for all American manufacturers; and

(C) enhance competitiveness and strengthen the manufacturing sectors of the United States.

(2) INCLUSIONS.—Agency actions identified under paragraph (1) shall include—

(A) an assessment of previous and current actions of the Department of Energy relating to smart manufacturing;

(B) the establishment of voluntary interconnection protocols and performance standards;

(C) use of smart manufacturing to improve energy efficiency and reduce emissions in supply chains across multiple companies;

(D) actions to increase cybersecurity in smart manufacturing infrastructure;

(E) deployment of existing research results; and

(F) the leveraging of existing high-performance computing infrastructure.

(c) BIENNIAL REVISIONS.—Not later than 2 years after the date on which the Secretary completes the plan under subsection (a), and not less frequently than once every 2 years thereafter, the Secretary shall revise the plan to account for advancements in information and communication technology and manufacturing needs.

(d) REPORT.—Annually until the completion of the plan under subsection (a), the Secretary shall submit to Congress a report on the progress made in developing the plan.

SEC. 9103. LEVERAGING EXISTING AGENCY PROGRAMS TO ASSIST SMALL AND MEDIUM MANUFACTURERS.

(a) FINDINGS.—Congress finds that—

(1) the Department of Energy has existing technical assistance programs that facilitate greater economic growth through outreach to and engagement with small and medium manufacturers;

(2) those technical assistance programs represent an important conduit for increasing the awareness of and providing education to small and medium manufacturers regarding the opportunities for implementing smart manufacturing; and

(3) those technical assistance programs help facilitate the implementation of best practices.

(b) EXPANSION OF TECHNICAL ASSISTANCE PROGRAMS.—The Secretary shall expand the scope of technologies covered by the Industrial Assessment Centers of the Department of Energy—

(1) to include smart manufacturing technologies and practices; and

(2) to equip the directors of the Industrial Assessment Centers with the training and tools necessary to provide technical assistance in smart manufacturing technologies and practices, including energy management systems, to manufacturers.

SEC. 9104. LEVERAGING SMART MANUFACTURING INFRASTRUCTURE AT NATIONAL LABORATORIES.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct a study on how the Department of Energy can increase access to existing high-performance computing resources in the National Laboratories, particularly for small and medium manufacturers.

(2) INCLUSIONS.—In identifying ways to increase access to National Laboratories under paragraph (1), the Secretary shall—

(A) focus on increasing access to the computing facilities of the National Laboratories; and

(B) ensure that—

(i) the information from the manufacturer is protected; and

(ii) the security of the National Laboratory facility is maintained.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study.

(b) ACTIONS FOR INCREASED ACCESS.—The Secretary shall facilitate access to the National Laboratories studied under subsection (a) for small and medium manufacturers so that small and medium manufacturers can fully use the high-performance computing resources of the National Laboratories to enhance the manufacturing competitiveness of the United States.

SEC. 9105. STATE LEADERSHIP GRANTS.

(a) FINDING.—Congress finds that the States—

(1) are committed to promoting domestic manufacturing and supporting robust economic development activities; and

(2) are uniquely positioned to assist manufacturers, particularly small and medium manufacturers, with deployment of smart manufacturing

through the provision of infrastructure, including—

(A) access to shared supercomputing facilities;

(B) assistance in developing process simulations; and

(C) conducting demonstrations of the benefits of smart manufacturing.

(b) GRANTS AUTHORIZED.—The Secretary may make grants on a competitive basis to States for establishing State programs to be used as models for supporting the implementation of smart manufacturing technologies.

(c) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) CRITERIA.—The Secretary shall evaluate an application for a grant under this section on the basis of merit using criteria identified by the Secretary, including—

(A) the breadth of academic and private sector partners;

(B) alternate sources of funding;

(C) plans for dissemination of results; and

(D) the permanence of the infrastructure to be put in place by the project.

(d) REQUIREMENTS.—

(1) TERM.—The term of a grant under this section shall not exceed 3 years.

(2) MAXIMUM AMOUNT.—The amount of a grant under this section shall be not more than $3,000,000.

(3) MATCHING REQUIREMENT.—Each State that receives a grant under this section shall contribute matching funds in an amount equal to not less than 30 percent of the amount of the grant.

(e) USE OF FUNDS.—A State shall use a grant provided under this section—

(1) to provide access to shared supercomputing facilities to small and medium manufacturers;

(2) to fund research and development of transformational manufacturing processes and materials technology that advance smart manufacturing; and

(3) to provide tools and training to small and medium manufacturers on how to adopt energy management systems and implement smart manufacturing technologies in the facilities of the small and medium manufacturers.

(f) EVALUATION.—The Secretary shall conduct biannual evaluations of each grant made under this section—

(1) to determine the impact and effectiveness of programs funded with the grant; and

(2) to provide guidance to States on ways to better execute the program of the State.

(g) FUNDING.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000 for each of fiscal years 2021 through 2025.

SEC. 9106. REPORT.

The Secretary annually shall submit to Congress and make publicly available a report on the progress made in advancing smart manufacturing in the United States.

Subtitle B—American Innovation and Manufacturing Leadership

SEC. 9201. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) ALLOWANCE.—The term ''allowance'' means a limited authorization for the production or the consumption, as applicable, of a regulated substance in accordance with this subtitle.

(3) CONSUMPTION.—The term ''consumption'' means, with respect to any regulated substance, the amount of that regulated substance produced in the United States, plus the amount imported, minus the amount exported.

(4) CONSUMPTION BASELINE.—The term ''consumption baseline'' means the baseline established for consumption of regulated substances under section 9204(a)(2).

(5) DESTROY.—The term ''destroy'' means destruction by process or technology as approved by regulation by the Administrator.

(6) EXCHANGE VALUE.—The term ''exchange value'' means, for each regulated substance and each substance referenced in paragraph (1)(B), (1)(C), (2)(B), or (2)(C) of section 9204(a), the value by which the mass of such substance shall be multiplied for purposes of calculations under section 9204.

(7) EXPORT.—The term ''export'' means the transport of a regulated substance from any place subject to the jurisdiction of the United States to any place not subject to the jurisdiction of the United States.

(8) IMPORT.—The term ''import'' means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

(9) PERSON.—The term ''person'' has the meaning given to such term in section 302 of the Clean Air Act (42 U.S.C. 7602).

(10) PRODUCE, PRODUCED, AND PRODUCTION.—The terms ''produce'', ''produced'', and ''production'' refer to the manufacture in the United States of a regulated substance from any raw material or feedstock chemical, but such terms do not include—

(A) the manufacture of a regulated substance that is used and entirely consumed (except for trace quantities) in the manufacture of other chemicals;

(B) the reuse or recycling of a regulated substance; or

(C) amounts that are destroyed.

(11) PRODUCTION BASELINE.—The term ''production baseline'' means the baseline established for production of regulated substances under section 9204(a)(1).

(12) RECLAIM, RECLAIMED, AND RECLAIMING.—The terms ''reclaim'', ''reclaimed'', and ''reclaiming'' mean the reprocessing of a recovered regulated substance to, at a minimum, the purity specified by and verified in accordance with the Air-Conditioning, Heating, and Refrigeration Institute (AHRI) Standard 700–2016 (or an appropriate successor standard adopted by the Administrator).

(13) RECOVER AND RECOVERED.—The terms ''recover'' and ''recovered'' mean the removal of a regulated substance in any condition from equipment and the storage of such regulated substance in an external container without necessarily testing or processing such regulated substance in any way.

(14) REGULATED SUBSTANCE.—The term ''regulated substance'' means a substance on the list published pursuant to section 9202.

(15) UNITED STATES.—The term ''United States'' means any place subject to the jurisdiction of the United States.

SEC. 9202. LISTING OF REGULATED SUBSTANCES.

(a) LIST OF REGULATED SUBSTANCES.—The Administrator shall maintain a list of regulated substances, listed by chemical name and common name. The Administrator shall publish such list and each update thereto in the Federal Register. Not later than 180 days after the date of enactment of this Act, the Administrator shall establish the initial such list. The initial list under this subsection shall contain the following:

Table 1

Chemical Name	***Common Name***	***Exchange Value***
CHF_2 CHF_2	*HFC-134*	*1100*
CH_2FCF_3	*HFC-134a*	*1430*
CH_2FCHF_2	*HFC143*	*353*
$CHF_2CH_2CF_3$	*HFC-245fa*	*1030*
$CF_3CH_2CF_2CH_3$	*HFC-365mfc*	*794*
CF_3CHFCF_3	*HFC-227ea*	*3220*
$CH_2FCF_2CF_3$	*HFC-236cb*	*1340*
CHF_2CHFCF_3	*HFC-236ea*	*1370*
$CF_3CH_2CF_3$	*HFC-236fa*	*9810*
$CH_2FCF_2CHF_2$	*HFC-245ca*	*693*

***Table 1**—Continued*

Chemical Name	*Common Name*	*Exchange Value*
$CF_3CHFCHFCF_2CF_3$	*HFC-43–10mee*	*1640*
CH_2F_2	*HFC-32*	*675*
CHF_2CF_3	*HFC-125*	*3500*
CH_3CF_3	*HFC-143a*	*4470*
CH_3F	*HFC-41*	*92*
CH_2FCH_2F	*HFC-152*	*53*
CH_3CHF_2	*HFC-152a*	*124*
CHF_3	*HFC-23*	*14800*

(b) REQUIREMENTS.—The list required under subsection (a) shall include the exchange value of each regulated substance, as set forth in table 1 of this section or, for additional regulated substances listed pursuant to subsection (c), as determined by the Administrator pursuant to the requirements of that subsection.

(c) ADDITIONAL REGULATED SUBSTANCES.—The Administrator may, by regulation, add a substance to the list published under subsection (a) if such substance—

(1) is a saturated hydrofluorocarbon; and

(2) has an exchange value, as determined by the Administrator on the basis of widely used or commonly accepted credible current scientific information relating to infrared absorption and kinetic rate constants, of not less than 53.

(d) SAVINGS PROVISION.—Nothing in this section authorizes the Administrator to add to the list under subsection (a), for purposes of phasing down production or consumption under section 9204, a blend of substances. The preceding sentence does not affect the authority of the Administrator to regulate a regulated substance within a blend of substances.

SEC. 9203. MONITORING AND REPORTING REQUIREMENTS.

(a) REPORTS.—

(1) IN GENERAL.—On a periodic basis to be determined by the Administrator, but which shall be not less than annually, each person who produced, imported, exported, reclaimed, destroyed, used and entirely consumed (except for trace quantities) in the manufacture of other chemicals, or used as a process agent a regulated substance shall submit a report to the Administrator setting forth the amount of each such substance that such person during the preceding reporting period—

(A) produced;

(B) imported;

(C) exported;

(D) reclaimed;

(E) destroyed;

(F) used and entirely consumed (except for trace quantities) in the manufacture of other chemicals; or

(G) used as a process agent.

(2) ATTESTATION.—Each report submitted under paragraph (1) shall be signed and attested by a responsible officer (as such term is used in section 603(b) of the Clean Air Act (42 U.S.C. 7671b(b)).

(b) CESSATION OF REPORTING REQUIREMENT.—If a person subject to subsection (a)(1) permanently ceases production, importation, exportation, reclaiming, destruction, use and entire consumption (except for trace quantities), or process agent use, of a regulated substance, such person shall—

(1) submit a report under such subsection for the reporting period in which such cessation occurs;

(2) notify the Administrator of such cessation prior to the end of such reporting period; and

(3) not be subject to such subsection with respect to such regulated substance for subsequent reporting periods.

(c) BASELINE REPORTS.—

(1) INITIAL REPORT.—Each person reporting pursuant to subsection (a)(1) shall include in the first required such report, in addition to the information required by subsection (a)(1) to be reported for the applicable reporting period, the amount of each regulated substance, in each of calendar years 2011 through 2013, produced, imported, exported, reclaimed, destroyed, used and entirely consumed (except for trace quantities) in the manufacture of other chemicals, or used as a process agent.

(2) ADDITIONAL SUBSTANCES.—In the case of a substance added to the list of regulated substances pursuant to section 9202(c), each person who produced, imported, exported, reclaimed, destroyed, used and entirely consumed (except for trace quantities) in the manufacture of other chemicals, or used as a process agent, such regulated substance, shall submit to the Administrator, not later than 180 days after the date on which such substance is added to the list, a report setting forth the amount of the substance that such person produced, imported, exported, reclaimed, destroyed, used and entirely consumed (except for trace quantities) in the manufacture of other chemicals, or used as a process agent in—

(A) each of calendar years 2011 through 2013; and

(B) the calendar year in which this Act is enacted and each subsequent calendar year, if required by the Administrator in a regulation adding a substance to the list of regulated substances.

(d) COORDINATION.—To the extent consistent with subsections (a) through (c), the Administrator may, by regulation, allow any person subject to the requirements of subsection (a)(1) to combine and include the information required to be reported under that subsection with any other related information that the person is required to report to the Administrator.

(e) REGULATIONS.—The Administrator shall promulgate regulations to implement this section. Not later than 270 days after the date of enactment of this Act, the Administrator shall promulgate such initial final regulations as may be necessary pursuant to the preceding sentence.

SEC. 9204. PHASEDOWN OF REGULATED SUBSTANCES.

(a) BASELINES.—

(1) PRODUCTION BASELINE.—The baseline for the phasedown of the production of regulated substances shall be the sum of—

(A) the sum of the products of—

(i) the average annual production in the United States of each regulated substance during the 3-year period of calendar years 2011, 2012, and 2013; multiplied by

(ii) the respective exchange value of each regulated substance;

(B) an amount equal to 15 percent of the sum of the products of—

(i) the average production in the United States of each hydrochlorofluorocarbon in 1989; multiplied by

(ii) the respective exchange value of each such hydrochlorofluorocarbon; and

(C) an amount equal to 0.42 percent of the sum of the products of—

(i) the average production in the United States of each chlorofluorocarbon in 1989; multiplied by

(ii) the respective exchange value of each such chlorofluorocarbon.

(2) CONSUMPTION BASELINE.—The baseline for the phasedown of the consumption of regulated substances shall be the sum of—

(A) an amount equal to the sum of the products of—

(i) the average annual consumption in the United States of each regulated substance during the 3-year period of calendar years 2011, 2012, and 2013; multiplied by

(ii) the respective exchange value of each such regulated substance;

(B) an amount equal to 15 percent of the sum of the products of—

(i) the average consumption in the United States of each hydrochlorofluorocarbon in 1989; multiplied by

(ii) the respective exchange value of each such hydrochlorofluorocarbon; and

(C) an amount equal to 0.42 percent of the sum of the products of—

(i) the average consumption in the United States of each chlorofluorocarbon in 1989; multiplied by

(ii) the respective exchange value of each such chlorofluorocarbon.

(3) EXCHANGE VALUES.—For purposes of paragraphs (1) and (2), the following exchange values for hydrochlorofluorocarbons and chlorofluorocarbons respectively shall apply:

Table 2

Chemical Name	***Common Name***	***Exchange Value***
$CHFCl_2$	*HCFC-21*	*151*
CHF_2Cl	*HCFC-22*	*1810*
$C_2HF_3Cl_2$	*HCFC-123*	*77*
C_2HF_4Cl	*HCFC-124*	*609*
CH_3CFCl_2	*HCFC-141b*	*725*
CH_3CF_2Cl	*HCFC-142b*	*2310*
$CF_3CF_2CHCl_2$	*HCFC-225ca*	*122*
CF_2ClCF_2CHClF	*HCFC-225cb*	*595*

Table 3

Chemical Name	***Common Name***	***Exchange Value***
$CFCl_3$	*CFC-11*	*4750*
CF_2Cl_2	*CFC-12*	*10900*
$C_2F_3Cl_3$	*CFC-113*	*6130*
$C_2F_4Cl_2$	*CFC-114*	*10000*
C_2F_5Cl	*CFC-115*	*7370*

(b) ALLOWANCES.—

(1) FRAMEWORK REGULATIONS.—The Administrator shall, by regulation, establish an allowance allocation and trading program to phase down the production and the consumption of regulated substances in accordance with this section. Not later than 270 days after the date of enactment of this Act, the Administrator shall promulgate such final regulations as may be necessary to establish the program required by the preceding sentence.

(2) ALLOCATIONS.—Not later than October 1 of each calendar year following the promulgation of final regulations pursuant to the second sentence of paragraph (1):

(A) The Administrator shall establish a quantity of production allowances and a quantity of consumption allowances. The quantities established pursuant to this paragraph shall not exceed the applicable percentages of the production baseline and of the consumption baseline for the calendar year involved as specified in the following table 4:

Table 4

Calendar year	***Percentage of Production Baseline***	***Percentage of Consumption Baseline***
through 2023	*90%*	*90%*
2024 through 2028	*60%*	*60%*
2029 through 2033	*30%*	*30%*
2034 through 2035	*20%*	*20%*
2036 and subsequent years	*15%*	*15%*

(B) The Administrator shall, by regulation, allocate such production allowances and consumption allowances up to the quantities of such allowances established pursuant to this paragraph for the succeeding calendar year. The Administrator may, at the Administrator's discretion, so allocate allowances through a single rulemaking for multiple succeeding calendar years.

(3) PROHIBITION.—Effective January 1 of the calendar year immediately following the issuance of a final regulation pursuant to the second sentence of paragraph (1), it shall be unlawful for a person to do any of the following:

(A) Production of a regulated substance without holding a production allowance that authorizes such production.

(B) Consumption of a regulated substance without holding a consumption allowance that authorizes such consumption.

(C) Holding, using, or transferring any production allowance or consumption allowance allocated under this section, except in accordance with regulations promulgated by the Administrator pursuant to paragraphs (1) and (2).

(4) NATURE OF ALLOWANCES.—An allowance does not constitute a property right. Nothing in this subtitle or in any other provision of law shall be construed to limit the authority of the United States to terminate or limit the authorization for the production or consumption of a regulated substance, as applicable, granted by the allowance.

(5) COMPLIANCE.—For each year listed in table 4, the Administrator shall ensure that the annual quantity of production or consumption in the United States of all regulated substances

does not exceed the product obtained by multiplying the production baseline or consumption baseline, as applicable, and the applicable percentage listed in table 4.

(c) TRANSFERS.—The regulations required by subsection (b)(1) shall—

(1) utilize the exchange values for each regulated substance established by or pursuant to section 9202;

(2) ensure that transfers of production allowances and consumption allowances will result in greater total reductions in the annual production or consumption, as applicable, of regulated substances than would occur in that year in the absence of such transfers; and

(3) authorize the transfer of production allowances or consumption allowances among two or more persons only if the transferor and transferee are subject to an enforceable and quantifiable reduction in, respectively, annual production or consumption.

(d) SCHEDULE.—

(1) IN GENERAL.—

(A) REGULATIONS.—Subject to paragraph (3), the Administrator may, in response to a petition submitted to the Administrator in accordance with paragraph (2), promulgate regulations which establish a schedule for phasing down the production and the consumption of regulated substances that is more stringent than set forth in table 4 in subsection (b), if, based on the availability of substitutes for regulated substances, the Administrator determines that such more stringent schedule is practicable, taking into account technological achievability, commercial demands, safety, and other relevant factors, including the quantities of regulated substances available from reclaiming or from prior production or prior import.

(B) UNIFORM APPLICATION.—In any regulations under subparagraph (A), the Administrator shall apply any more stringent phasedown schedule uniformly to the allocation of production allowances and consumption allowances as provided under subsection (b).

(2) PETITION.—

(A) SUBMISSION.—Any person may petition the Administrator to promulgate regulations under this subsection.

(B) DISPOSITION.—The Administrator shall grant or deny any petition under subparagraph (A) within 270 days after receipt of any such petition.

(C) DENIAL.—If the Administrator denies any such petition, the Administrator shall publish in the Federal Register an explanation of why the petition was denied.

(D) GRANTING.—If the Administrator grants any such petition, the Administrator shall—

(i) propose regulations implementing a more stringent phasedown schedule not later than 270 days after granting the petition; and

(ii) promulgate final regulations implementing a more stringent phasedown schedule not later than 365 days after proposing such regulations.

(E) PUBLIC AVAILABILITY.—The Administrator shall—

(i) submit for publication in the Federal Register a notice of the availability of each petition received pursuant to this paragraph not later than 60 days after receipt of such petition; and

(ii) shall make each such petition available in full upon request.

(F) REQUIRED SHOWING.—Any petition under subparagraph (A) shall include a showing by the petitioner that there are adequate data to support the petition.

(G) INSUFFICIENT INFORMATION.—If the Administrator determines that data are not adequate to grant or deny the petition, the Administrator shall use any authority available to the Administrator, under any applicable law, to acquire such data.

(3) LIMITATION.—The Administrator may not promulgate a more stringent phasedown schedule under this subsection applicable to any calendar year prior to calendar year 2024.

(e) ESSENTIAL USES.—

(1) PETITION; AUTHORIZATION.—The Administrator may, by regulation, allocate to a person additional production allowances or consumption allowances to authorize the production or consumption, respectively, beginning with calendar year 2034, for a period of up to 5 years, of a regulated substance in an amount up to 10 percent of the quantity of production or consumption of such regulated substance contributed by such person to the production baseline or the consumption baseline, as applicable, if the Administrator finds, based on a petition by such person, that—

(A) such excess production or consumption is exclusively for an application with respect to which no substitute is available during such period, considering technological achievability, commercial demands, safety, and other relevant factors; and

(B) the available supply of such regulated substance, including any quantities of such regulated substance available from reclaiming, prior production, or prior import, and allowances for such regulated substance, are insufficient to accommodate such application.

(2) EXTENSION.—The Administrator may, by regulation, allocate additional production allowances or consumption allowances, for additional periods of up to 5 years, in an amount up to 10 percent of the quantity of production or consumption of the regulated substance contributed by the person involved to the production baseline or the consumption baseline, as applicable, if the Administrator finds, based on a petition by such person, that the criteria described in subparagraphs (A) and (B) of paragraph (1) continue to be satisfied.

(3) EXCEPTION.—The Administrator may allocate production allowances or consumption allowances pursuant to this subsection in amounts that cause the total quantity of production allowances or consumption allowances in a year to exceed the maximum quantity permissible under subsection (b) for that year.

(f) EXPORTS.—

(1) EXPORTS OF EXCESS AMOUNTS.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and paragraph (2), the Administrator may, by regulation, issue additional production allowances for renewable periods of up to 5 years to a person to produce a regulated substance at a facility located in the United States in excess of the amount authorized by the production allowances otherwise held by that person solely for export to, and use in, a foreign country.

(B) PETITION REQUIRED.—Prior to issuing any additional production allowances to a person pursuant to subparagraph (A), the Administrator shall require the person to submit a petition in such manner and containing such information as the Administration may by regulation require.

(C) LIMITATION.—The Administrator shall not issue any production allowances pursuant to subparagraph (A) in amounts that would cause the total quantity of production allowances in a year to exceed the maximum quantity of production allowances permissible under subsection (b) for that year.

(2) PROHIBITED EXPORT FOR CERTAIN COUNTRIES.—Beginning on January 1, 2033, no person subject to the requirements of this subtitle shall export a regulated substance to a foreign country that is not identified by the Administrator as having enacted or otherwise established the same or similar requirements or otherwise undertaken commitments regarding the production and the consumption of regulated substances as are contained in this subtitle.

SEC. 9205. MANAGEMENT OF REGULATED SUBSTANCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator should provide for a safe hydrofluorocarbon transition by ensuring that heating, ventilation, air conditioning, and refrigeration practitioners are positioned to comply with safe servicing, repair, disposal, or installation procedures.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the Administrator shall, for purposes of maximizing reclaiming, minimizing the release of a regulated substance from equipment, and ensuring the safety of technicians and consumers, promulgate regulations to control, where appropriate, any practice, process, or activity regarding the servicing, repair, disposal, or installation of equipment that involves a regulated substance or a substitute for a regulated substance, including the reclaiming of a regulated substance or a substitute for a regulated substance.

(2) MINIMUM STANDARDS.—The regulations promulgated under paragraph (1) may include, where appropriate, that any such servicing, repair, disposal, or installation be performed by a trained technician meeting minimum standards, as determined by the Administrator.

(c) RECLAIM.—

(1) CONSIDERATION.—The Administrator shall consider the use of any authority available to the Administrator under this subtitle to increase opportunities for the reclaiming of regulated substances.

(2) REQUIREMENT.—Any regulated substance that is recovered shall be reclaimed before such regulated substance is sold or transferred to a new owner, except where such recovered regulated substance is sold or transferred to a new owner solely for the purposes of being reclaimed or destroyed.

(d) COORDINATION.—In promulgating regulations to implement this section, the Administrator may coordinate such regulations with any other regulations promulgated by the Administrator that involve—

(1) the same or similar practice, process, or activity regarding the servicing, repair, disposal, or installation of equipment; or

(2) reclaiming.

(e) INAPPLICABILITY.—Subsections (a) through (d) do not apply with respect to a regulated substance or a substitute for a regulated substance that is contained in a foam.

SEC. 9206. TECHNOLOGY TRANSITIONS.

(a) AUTHORITY.—The Administrator may, by regulation and in accordance with this section, prohibit or restrict, including through a graduated schedule, the use of a regulated substance in a sector or subsector in which such regulated substance is used.

(b) NEGOTIATED RULEMAKING.—The Administrator shall consider negotiating and developing a proposed regulation under this section in accordance with the negotiated rulemaking procedure under subchapter III of chapter 5 of title 5, United States Code (commonly referred to as the ''Negotiated Rulemaking Act of 1990''). If the Administrator decides to proceed with a negotiated rulemaking, the Administrator shall, to the extent the Administrator deems practicable, give priority to completing that rulemaking over completing concurrent non-negotiated rulemakings pursuant to this section. If the Administrator decides not to proceed with a negotiated rulemaking, the Administrator shall include an explanation of such decision in any proposed regulation published pursuant to this section.

(c) PETITION.—

(1) SUBMISSION.—Any person may petition the Administrator to promulgate regulations under this section to prohibit or restrict the use of a regulated substance in a sector or subsector.

(2) DISPOSITION.—The Administrator shall grant or deny a petition received pursuant to paragraph (1) not later than 180 days after receipt of such petition.

(3) DENIAL.—If the Administrator denies a petition received pursuant to paragraph (1), the Administrator shall publish in the Federal Register an explanation of the Administrator's decision.

(4) GRANTING.—If the Administrator grants a petition received pursuant to paragraph (1), the Administrator shall—

(A) propose regulations prohibiting or restricting the use of the regulated substance in the sector or subsector under subsection (a) not later than 270 days after granting such petition; and

(B) promulgate final regulations prohibiting or restricting the use of the regulated substance in the sector or subsector under subsection (a) not later than 365 days after proposing such regulations.

(5) PUBLIC AVAILABILITY.—The Administrator shall—

(A) submit for publication in the Federal Register a notice of the availability of each petition received pursuant to this subsection not later than 60 days after receipt of such petition; and

(B) shall make each such petition available in full upon request.

(d) CRITERIA.—In promulgating regulations under this section, the Administrator shall consider—

(1) promoting and supporting domestic economic development;

(2) maximizing protections for human health and the environment;

(3) minimizing costs for the production, use, and reclaiming of regulated substances;

(4) maximizing flexibility for the recovery, reclaiming, and re-use of regulated substances;

(5) ensuring consumer safety;

(6) the availability of substitutes for regulated substances, taking into account technological achievability, commercial demands, safety, and other relevant factors, including lead times for equipment conversion; and

(7) minimizing any costs to consumers.

(e) EVALUATION.—For purposes of this subtitle, the Administrator shall—

(1) on an ongoing basis, evaluate the availability of substitutes for regulated substances in a sector or subsector, taking into account technological achievability, commercial demands, safety, and other relevant factors, including lead times for equipment conversion; and

(2) maintain a public clearinghouse of such substitutes by sector and subsector, as applicable.

(f) COORDINATION.—In promulgating regulations to prohibit or restrict the use of a regulated substance in a sector or subsector under this section, the Administrator may coordinate such regulations with any other regulations pertaining to currently or potentially available substitutes for regulated substances.

SEC. 9207. RULEMAKING AUTHORITY.

(a) RULEMAKINGS.—The Administrator may promulgate such regulations as are necessary to carry out the functions of the Administrator under this subtitle.

(b) DELEGATION.—The Administrator may delegate to any officer or employee of the Environmental Protection Agency such of the powers and duties of the Administrator under this subtitle as the Administrator determines to be appropriate.

(c) REQUIREMENTS.—In exercising any requirement or authority in this subtitle to act by regulation or to promulgate regulations, the Administrator shall comply with the requirements of section 307(d) of the Clean Air Act (42 U.S.C. 7607(d)).

SEC. 9208. RELATIONSHIP TO OTHER LAWS.

Sections 113, 114, 304, and 307 of the Clean Air Act (42 U.S.C. 7413, 7414, 7604, 7607) shall apply to this subtitle and any regulations promulgated by the Administrator pursuant to this subtitle as though this subtitle were included in title VI of the Clean Air Act (42 U.S.C. 7671 et seq.).

Subtitle C—Clean Industrial Technology

SEC. 9301. PURPOSE.

The purpose of this subtitle and the amendments made by this subtitle is to encourage the development and evaluation of innovative technologies aimed at increasing—

(1) the technological and economic competitiveness of industry and manufacturing in the United States; and

(2) the emissions reduction of nonpower industrial sectors.

SEC. 9302. INDUSTRIAL EMISSIONS REDUCTION TECHNOLOGY DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Subtitle D of title IV of the Energy Independence and Security Act of 2007, as amended by this Act, is further amended by adding at the end the following:

"SEC. 455. INDUSTRIAL EMISSIONS REDUCTION TECHNOLOGY DEVELOPMENT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Science and Technology Policy.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a scientist or other individual with knowledge and expertise in emissions reduction;

''(B) an institution of higher education;

''(C) a nongovernmental organization;

''(D) a National Laboratory;

''(E) a private entity; and

''(F) a partnership or consortium of 2 or more entities described in subparagraphs (B) through (E).

''(3) EMISSIONS REDUCTION.—

''(A) IN GENERAL.—The term 'emissions reduction' means the reduction, to the maximum extent practicable, of net nonwater greenhouse gas emissions to the atmosphere by energy services and industrial processes.

''(B) EXCLUSION.—The term 'emissions reduction' does not include the elimination of carbon embodied in the principal products of industrial manufacturing.

''(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(5) PROGRAM.—The term 'program' means the program established under subsection (b)(1).

''(6) CRITICAL MATERIAL OR MINERAL.—The term 'critical material or mineral' means a material or mineral that serves an essential function in the manufacturing of a product and has a high risk of a supply disruption, such that a shortage of such a material or mineral would have significant consequences for United States economic or national security.

''(b) INDUSTRIAL EMISSIONS REDUCTION TECHNOLOGY DEVELOPMENT PROGRAM.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, in coordination with the Director and in consultation with the heads of relevant Federal agencies, National Laboratories, industry, and institutions of higher education, shall establish a crosscutting research, development, and demonstration program to further the development and commercial application of innovative industrial emissions reduction technologies that—

''(A) increase the technological and economic competitiveness of industry and manufacturing in the United States; and

''(B) achieve emissions reduction in nonpower industrial sectors.

''(2) COORDINATION.—In carrying out the program, the Secretary shall, to the maximum extent practicable—

''(A) coordinate with each relevant office in the Department and any other Federal agency;

''(B) coordinate and collaborate with the Industrial Technology Innovation Advisory Committee established under section 456; and

''(C) coordinate with the energy-intensive industries program established under section 452.

''(3) LEVERAGE OF EXISTING RESOURCES.—In carrying out the program, the Secretary shall leverage, to the maximum extent practicable—

''(A) existing resources and programs of the Department and other relevant Federal agencies; and

''(B) public-private partnerships.

''(c) FOCUS AREAS.—The program shall focus on, to the maximum extent practicable—

''(1) industrial production processes, including technologies and processes that—

''(A) achieve emissions reduction in high-emissions industrial materials production processes, including production processes for iron, steel, steel mill products, aluminum, cement, concrete, glass, pulp, paper, and industrial ceramics;

''(B) achieve emissions reduction in medium- and high-temperature heat generation, including—

''(i) through electrification of heating processes;

''(ii) through renewable heat generation technology;

''(iii) through combined heat and power; and

''(iv) by switching to alternative fuels, including hydrogen;

''(C) achieve emissions reduction in chemical production processes;

''(D) leverage smart manufacturing technologies and principles, digital manufacturing technologies, and advanced data analytics to develop advanced technologies and practices in information, automation, monitoring, computation, sensing, modeling, and networking that—

''(i) simulate manufacturing production lines;

''(ii) monitor and communicate production line status;

''(iii) manage and optimize energy productivity and cost throughout production; and

''(iv) model, simulate, and optimize the energy efficiency of manufacturing processes;

''(E) leverage the principles of sustainable manufacturing and sustainable chemistry to minimize the negative environmental impacts of manufacturing while conserving energy and resources, including—

''(i) by designing products that enable reuse, refurbishment, remanufacturing, and recycling;

''(ii) by minimizing waste from industrial processes; and

''(iii) by reducing resource intensity; and

''(F) increase the energy efficiency of industrial processes;

''(2) alternative materials that produce fewer emissions during production and result in fewer emissions during use, including—

''(A) high-performance lightweight materials; and

''(B) substitutions for critical materials and minerals;

''(3) development of net-zero emissions liquid and gaseous fuels;

''(4) emissions reduction in shipping, aviation, and long distance transportation, including through the use of alternative fuels;

''(5) carbon capture technologies for industrial processes;

''(6) high-performance computing to develop advanced materials and manufacturing processes contributing to the focus areas described in paragraphs (1) through (5), including—

''(A) modeling, simulation, and optimization to design energy efficient and sustainable products; and

''(B) the use of digital prototyping and additive manufacturing to enhance product design;

''(7) other technologies that achieve net-zero emissions in nonpower industrial sectors as determined by Secretary in coordination with the Director;

''(8) incorporation of sustainable and green chemistry and engineering principles, practices, and methodologies, as the Secretary determines appropriate; and

''(9) other research or technology areas identified in the Emissions Reduction Roadmap authorized in section 456.

''(d) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, AND DEMONSTRATION PROJECTS.—

''(1) GRANTS.—In carrying out the program, the Secretary shall award grants on a competitive basis to eligible entities for projects that the Secretary determines would best achieve the goals of the program.

''(2) CONTRACTS AND COOPERATIVE AGREEMENTS.—In carrying out the program, the Secretary may enter into contracts and cooperative agreements with eligible entities and Federal agencies for projects that the Secretary determines would further the purposes of the program.

''(3) DEMONSTRATION PROJECTS.—In supporting technologies developed under this section, the Secretary shall fund demonstration projects that test and validate technologies described in subsection (c).

''(4) COST SHARING.—In awarding funds under this section, the Secretary shall require cost sharing in accordance with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the demonstration projects authorized in subsection (d)(3)—

''(1) $20,000,000 for fiscal year 2021;

''(2) $80,000,000 for fiscal year 2022;

''(3) $100,000,000 for fiscal year 2023;

''(4) $150,000,000 for fiscal year 2024; and

''(5) $150,000,000 for fiscal year 2025.

''(f) COORDINATION.—The Secretary shall carry out the activities authorized in this section in accordance with section 203 of the Department of Energy Research and Innovation Act (42 U.S.C. 18631).''.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) is amended by inserting after the item relating to section 454 (as added by this Act) the following:

''Sec. 455. Industrial emissions reduction technology development program.''.

SEC. 9303. INDUSTRIAL TECHNOLOGY INNOVATION ADVISORY COMMITTEE.

(a) IN GENERAL.—Subtitle D of title IV of the Energy Independence and Security Act of 2007, as amended by this Act, is further amended by adding at the end the following:

''SEC. 456. INDUSTRIAL TECHNOLOGY INNOVATION ADVISORY COMMITTEE.

''(a) DEFINITIONS.—In this section:

''(1) COMMITTEE.—The term 'Committee' means the Industrial Technology Innovation Advisory Committee established under subsection (b).

''(2) DIRECTOR.—The term 'Director' means the Director of the Office of Science and Technology Policy.

''(3) EMISSIONS REDUCTION.—The term 'emissions reduction' has the meaning given the term in section 455(a).

''(4) PROGRAM.—The term 'program' means the industrial emissions reduction technology development program established under section 455(b)(1).

''(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this section, the Secretary, in coordination with the Director, shall establish an advisory committee, to be known as the 'Industrial Technology Innovation Advisory Committee'.

''(c) MEMBERSHIP.—

''(1) APPOINTMENT.—The Committee shall be comprised of not fewer than 15 members, who shall be appointed by the Secretary, in coordination with the Director.

''(2) REPRESENTATION.—Members appointed pursuant to paragraph (1) shall include—

''(A) not less than 1 representative of each relevant Federal agency, as determined by the Secretary;

''(B) not less than 2 representatives of labor groups;

''(C) not less than 3 representatives of the research community, which shall include academia and National Laboratories;

''(D) not less than 2 representatives of nongovernmental organizations;

''(E) not less than 6 representatives of industry, the collective expertise of which shall cover every focus area described in section 455(c);

''(F) not less than 1 representative of a State government; and

''(G) any other individual whom the Secretary, in coordination with the Director, determines to be necessary to ensure that the Committee is comprised of a diverse group of representatives of industry, academia, independent researchers, and public and private entities.

''(3) CHAIR.—The Secretary shall designate a member of the Committee to serve as Chair.

''(d) DUTIES.—

''(1) IN GENERAL.—The Committee shall—

''(A) in consultation with the Secretary and the Director, develop the missions and goals of the program, which shall be consistent with the purposes of the program described in section 455(b)(1);

''(B) advise the Secretary and the Director with respect to the program—

''(i) by identifying and evaluating any technologies being developed by the private sector or other Federal agencies relating to the focus areas described in section 455(c);

''(ii) by identifying technology gaps in the private sector in those focus areas, and making recommendations to address those gaps;

''(iii) by surveying and analyzing factors that prevent the adoption of emissions reduction technologies by the private sector; and

''(iv) by recommending technology screening criteria for technology developed under the program to encourage adoption of the technology by the private sector; and

''(C) develop the roadmap described in paragraph (2).

''(2) EMISSIONS REDUCTION ROADMAP.—

''(A) PURPOSE.—The purpose of the roadmap developed under paragraph (1)(C) is to set forth a plan for achieving the goals of the program established in section 455(b)(1), including for the focus areas described in section 455(c).

''(B) CONTENTS.—The roadmap developed under paragraph (1)(C) shall—

''(i) specify near-term and long-term qualitative and quantitative objectives relating to each focus area described in section 455(c), including research, development, demonstration, and commercial application objectives;

''(ii) leverage existing roadmaps relevant to the program in section 455(b)(1) and the focus areas in section 455(c);

''(iii) specify the anticipated timeframe for achieving the objectives specified under clause (i);

''(iv) include plans for developing emissions reduction technologies that are globally cost-competitive; and

''(v) identify the appropriate role for investment by the Federal Government, in coordination with the private sector, to achieve the objectives specified under clause (i).

''(e) MEETINGS.—

''(1) FREQUENCY.—The Committee shall meet not less frequently than 2 times per year, at the call of the Chair.

''(2) INITIAL MEETING.—Not later than 30 days after the date on which the members are appointed under subsection (b), the Committee shall hold its first meeting.

''(f) COMMITTEE REPORT.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this section, and not less frequently than once every 3 years thereafter, the Committee shall submit to the Secretary a report on the progress of achieving the purposes of the program.

''(2) CONTENTS.—The report under paragraph (1) shall include—

''(A) a description of any technology innovation opportunities identified by the Committee;

''(B) a description of any technology gaps identified by the Committee under subsection (d)(1)(B)(ii);

''(C) a review of the management, technology screening, coordination, and industry utility of the program;

''(D) an evaluation of the progress of the program and the research, development, and demonstration activities funded under the program;

''(E) any recommended changes to the focus areas of the program described in section 455(c);

''(F) a description of the manner in which the Committee has carried out the duties described in subsection (d)(1) and any relevant findings as a result of carrying out those duties;

''(G) the roadmap developed by the Committee under subsection (d)(1)(C);

''(H) the progress made in achieving the goals set out in that roadmap;

''(I) an assessment of the extent to which progress has been made under the program in developing commercial, cost-competitive technologies in each focus area described in section 455(c); and

''(J) an assessment of the effectiveness of the program in coordinating efforts within the Department and with other Federal agencies to achieve the purposes of the program.

''(g) REPORT TO CONGRESS.—Not later than 60 days after receiving a report from the Committee under subsection (f), the Secretary shall submit a copy of that report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

''(h) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided in this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.''.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) is amended by inserting after the item relating to section 455 (as added by this Act) the following:

''Sec. 456. Industrial Technology Innovation Advisory Committee.''.

SEC. 9304. TECHNICAL ASSISTANCE PROGRAM TO IMPLEMENT INDUSTRIAL EMISSIONS REDUCTION.

(a) IN GENERAL.—Subtitle D of title IV of the Energy Independence and Security Act of 2007, as amended by this Act, is further amended by adding at the end the following:

''SEC. 457. TECHNICAL ASSISTANCE PROGRAM TO IMPLEMENT INDUSTRIAL EMISSIONS REDUCTION.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State;

''(B) a unit of local government;

''(C) a territory or possession of the United States;

''(D) a relevant State or local office, including an energy office;

''(E) a tribal organization (as defined in section 3765 of title 38, United States Code);

''(F) an institution of higher education;

''(G) a private entity; and

''(H) a trade association or technical society.

''(2) EMISSIONS REDUCTION.—The term 'emissions reduction' has the meaning given the term in section 455(a).

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(4) PROGRAM.—The term 'program' means the program established under subsection (b).

''(b) ESTABLISHMENT.—Not later than one year after the date of enactment of this section, the Secretary shall establish a program to provide technical assistance to eligible entities to promote the commercial application of emission reduction technologies developed through the program established in section 455(b).

''(c) APPLICATIONS.—

''(1) APPLICATION PROCESS.—The Secretary shall seek applications for technical assistance under the program on a periodic basis, but not less frequently than once every 12 months.

''(2) PRIORITIES.—In selecting eligible entities for technical assistance under the program, the Secretary shall give priority to an eligible entity—

''(A) carrying out a commercial application of technology that has the greatest potential for emissions reduction in nonpower industrial sectors;

''(B) located in a State that has historically relied on industrial sectors for a substantial portion of the State economy, as determined by the

Secretary, taking into account employment data, per capita income, and other indicators of economic output in the State; or

''(C) located in a State that has experienced significant decline in the economic contribution of industry to the State.''.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) is amended by inserting after the item relating to section 456 (as added by this Act) the following:

''Sec. 457. Technical assistance program to implement industrial emissions reduction.''.

SEC. 9305. COORDINATION OF RESEARCH AND DEVELOPMENT OF ENERGY EFFICIENT TECHNOLOGIES FOR INDUSTRY.

Section 6(a) of the American Energy Manufacturing Technical Corrections Act (42 U.S.C. 6351(a)) is amended—

(1) by striking ''Industrial Technologies Program'' each place it appears and inserting ''Advanced Manufacturing Office''; and

(2) in the matter preceding paragraph (1), by striking ''Office of Energy'' and all that follows through ''Office of Science'' and inserting ''Department of Energy''.

Subtitle D—Combined Heat and Power Support

SEC. 9401. CHP TECHNICAL ASSISTANCE PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Section 375 of the Energy Policy and Conservation Act (42 U.S.C. 6345) is amended to read as follows:

''SEC. 375. CHP TECHNICAL ASSISTANCE PARTNERSHIP PROGRAM.

''(a) RENAMING.—

''(1) IN GENERAL.—The Clean Energy Application Centers of the Department of Energy are redesignated as the CHP Technical Assistance Partnership Program (referred to in this section as the 'Program').

''(2) PROGRAM DESCRIPTION.—The Program shall consist of—

''(A) the 10 regional CHP Technical Assistance Partnerships in existence on the date of enactment of the Clean Economy Jobs and Innovation Act;

''(B) such other regional CHP Technical Assistance Partnerships as the Secretary may establish; and

''(C) any supporting technical activities under the Technical Partnership Program of the Advanced Manufacturing Office.

''(3) REFERENCES.—Any reference in any law, rule, regulation, or publication to a Combined Heat and Power Application Center or a Clean Energy Application Center shall be deemed to be a reference to the Program.

''(b) CHP TECHNICAL ASSISTANCE PARTNERSHIP PROGRAM.—

''(1) IN GENERAL.—The Program shall—

''(A) operate programs to encourage deployment of combined heat and power, waste heat to power, and efficient district energy (collectively referred to in this subsection as 'CHP') technologies by providing education and outreach to—

''(i) building, industrial, and electric and natural gas utility professionals;

''(ii) State and local policymakers; and

''(iii) other individuals and organizations with an interest in efficient energy use, local or opportunity fuel use, resiliency, or energy security, microgrids, and district energy; and

''(B) provide project specific support to building and industrial professionals through economic and engineering assessments and advisory activities.

''(2) FUNDING FOR CERTAIN ACTIVITIES.—

''(A) IN GENERAL.—The Program shall make funds available to institutions of higher education, research centers, and other appropriate institutions to ensure the continued operations and effectiveness of the regional CHP Technical Assistance Partnerships.

''(B) USE OF FUNDS.—Funds made available under subparagraph (A) may be used—

''(i) to research, develop, and distribute informational materials relevant to manufacturers, commercial buildings, institutional facilities, and Federal sites, including continued support of the mission goals of the Department of Defense, on CHP and microgrid technologies, including continuation and updating of—

''(I) the CHP installation database;

''(II) CHP technology potential analyses;

''(III) State CHP resource pages; and

''(IV) CHP Technical Assistance Partnerships websites;

''(ii) to research, develop, and conduct target market workshops, reports, seminars, internet programs, CHP resiliency resources, and other activities to provide education to end users, regulators, and stakeholders in a manner that leads to the deployment of CHP technologies;

''(iii) to provide or coordinate onsite assessments for sites and enterprises that may consider deployment of CHP technology;

''(iv) to perform market research to identify high profile candidates for deployment of CHP technologies, hybrid renewable-CHP technologies, microgrids, and clean energy;

''(v) to provide nonbiased engineering support to sites considering deployment of CHP technologies;

''(vi) to assist organizations developing clean energy technologies and policies in overcoming barriers to deployment; and

''(vii) to assist companies and organizations with field validation and performance evaluations of CHP and other clean energy technologies implemented.

''(C) DURATION.—The Program shall make funds available under subparagraph (A) for a period of 5 years.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $12,000,000 for each of fiscal years 2021 through 2025.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy and Conservation Act is amended by striking the item relating to section 375 and inserting the following:

''375. CHP Technical Assistance Partnership Program.''.

Subtitle E—Title XVII Loan Program Reform

SEC. 9501. LOAN PROGRAM OFFICE TITLE XVII REFORM.

(a) TERMS AND CONDITIONS.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended—

(1) by amending subsection (b) to read as follows:

''(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the cost of a guarantee shall be paid by the Secretary using an appropriation made for the cost of the guarantee, subject to the availability of such an appropriation.

''(2) INSUFFICIENT APPROPRIATIONS.—If sufficient appropriated funds to pay the cost of a guarantee are not available, then the guarantee shall not be made unless—

''(A) the Secretary has received from the borrower a payment in full for the cost of the guarantee and deposited the payment into the Treasury; or

''(B) a combination of one or more appropriations and one or more payments from the borrower under this subsection has been made that is sufficient to cover the cost of the guarantee.'';

(2) in subsection (h)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Secretary shall charge, and collect on or after the date of the financial close of an obligation, a fee for a guarantee in an amount that the Secretary determines is sufficient to cover applicable administrative expenses (including any costs associated with third-party consultants engaged by the Secretary).''; and

(B) by adding at the following:

''(3) REDUCTION IN FEE AMOUNT.—Notwithstanding paragraph (1) and subject to the availability of appropriations, the Secretary may reduce the amount of a fee for a guarantee under this subsection.''; and

(3) by adding at the end the following:

''(l) APPLICATION STATUS.—

''(1) REQUEST.—If the Secretary does not make a final decision on an application for a guarantee under this title by the date that is 180 days after receipt of the application by the Secretary, the applicant may request, on or after that date and not more than once every 60 days thereafter until a final decision is made, that the Secretary provide to the applicant a response described in paragraph (2).

''(2) RESPONSE.—Not later than 10 days after receiving a request from an applicant under paragraph (1), the Secretary shall provide to the applicant a response that includes—

''(A) a description of the current status of review of the application;

''(B) a summary of any factors that are delaying a final decision on the application, a list of what items are required in order to reach a final decision, citations to authorities stating the reasons why such items are required, and a list of actions the applicant can take to expedite the process; and

''(C) an estimate of when a final decision on the application will be made.

''(m) OUTREACH.—In carrying out this title, the Secretary shall—

''(1) provide assistance with the completion of applications for a guarantee under this title;

''(2) conduct outreach, including through conferences and online programs, to disseminate information to potential applicants; and

''(3) conduct outreach to encourage participation of supporting finance institutions and private lenders in eligible projects.

''(n) COORDINATION.—In carrying out this title, to the extent consistent with applicable law, the Secretary shall collaborate, coordinate, and share information with relevant offices within the Department.

''(o) REPORT.—Not later than 2 years after the date of the enactment of this subsection and every 3 years thereafter, the Secretary shall submit to Congress a report on the status of projects receiving guarantees under this title, including—

''(1) a list of such projects, including the guarantee amount, construction status, and financing partners of each such project;

''(2) the status of each such project's loan repayment, including interest paid and future repayment projections;

''(3) estimate of the greenhouse gas emissions avoided from each such project;

''(4) data regarding the number of direct and indirect jobs retained, restored, or created by such projects;

''(5) the number of new projects projected to receive a guarantee under this title during the next 2 years and the aggregate guarantee amount; and

''(6) any other metrics the Secretary finds appropriate.''.

(b) STATE LOAN ELIGIBILITY.—

(1) DEFINITIONS.—Section 1701 of the Energy Policy Act of 2005 (42 U.S.C. 16511) is amended by adding at the end the following:

''(6) INDIAN TRIBE, NATIVE CORPORATION, TRIBAL ENERGY DEVELOPMENT ORGANIZATION.—The terms 'Indian tribe', 'Native Corporation', and 'tribal energy development organization' have the meaning given such terms in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

''(7) STATE.—The term 'State' has the meaning given the term in section 202 of the Energy Conservation and Production Act (42 U.S.C. 6802).

''(8) STATE ENERGY FINANCING INSTITUTION.—

''(A) IN GENERAL.—The term 'State energy financing institution' means a quasi-independent entity or an entity within a State agency or financing authority established by a State that may—

''(i) provide financing support or credit enhancements, including loan guarantees and loan loss reserves, for eligible projects; and

''(ii) create liquid markets for eligible projects, including warehousing and securitization, or take other steps to reduce financial barriers to the deployment of existing and new eligible projects.

''(B) INCLUSION.—The term 'State energy financing institution' includes an entity or organization established to achieve the purposes described in clauses (i) and (ii) of subparagraph (A) by an Indian tribe, Native Corporation, or tribal energy development organization.''.

(2) TERMS AND CONDITIONS.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is further amended—

(A) in subsection (a), by inserting '', including projects receiving financial support or credit enhancements from a State energy financing institution,'' after ''for projects'';

(B) in subsection (d)(1), by inserting '', including a guarantee for a project receiving financial support or credit enhancements from a State energy financing institution,'' after ''No guarantee''; and

(C) by adding at the end the following:

''(p) STATE ENERGY FINANCING INSTITUTIONS.—

''(1) PARTNERSHIPS AUTHORIZED.—State energy financing institutions providing financial support or credit enhancements for eligible projects may enter into partnerships with private entities, Indian tribes, Native Corporations, and tribal energy development organizations.

''(2) PROHIBITION ON USE OF APPROPRIATED FUNDS.—Amounts appropriated to the Department before the date of enactment of this subsection shall not be available to be used for the cost of guarantees made to State energy financing institutions.''.

(c) PROJECT ELIGIBILITY EXPANSION.—

(1) IN GENERAL.—The Energy Policy Act of 2005 is amended by adding after section 1703 the following new section:

''SEC. 1703A. OTHER ELIGIBLE PROJECTS.

''(a) IN GENERAL.—The Secretary may make guarantees under this section only for projects that—

''(1) avoid, reduce, utilize, or sequester air pollutants or anthropogenic emissions of greenhouse gases; and

''(2) employ new or significantly improved technologies as compared to commercial technologies in service in the United States at the time the guarantee is issued, including projects that employ—

''(A) a system of technologies that combine existing technologies in an innovative manner;

''(B) elements of commercial technologies in combination with new or significantly improved technologies; or

''(C) new and innovative technologies developed outside the energy sector that enable modernization of existing energy infrastructure and systems.

''(b) CATEGORIES.—Projects from the following categories shall be eligible for a guarantee under this section:

''(1) Advanced nuclear energy facilities, including manufacturing and deployment of nuclear supply components for advanced nuclear reactors.

''(2) Carbon capture, utilization, and sequestration practices and technologies, including—

''(A) agricultural and forestry practices that store and sequester carbon; and

''(B) synthetic technologies to remove carbon from the air and oceans.

''(3) Energy storage technologies for residential, industrial, transportation, and power generation applications.

''(4) Technologies and systems for reducing emissions of greenhouse gases with high global warming potential, including for reducing methane leakage from natural gas transmission and distribution infrastructure.

''(5) Application of technologies, including data analytics, artificial intelligence, and other software to improve the energy efficiency, operations, and management of energy infrastructure, including electric grid operations.

''(6) Energy-water use efficiency in water resources infrastructure and water-using technologies.

''(7) Technologies for improving the resilience or reliability of existing energy infrastructure, including technologies that incorporate energy storage and grid modernization initiatives or improve the cybersecurity of energy technologies.

''(8) Technologies or processes for reducing greenhouse gas emissions from industrial applications, including iron, steel, cement, and ammonia production, hydrogen production, and generation of high-temperature heat.

''(9) Categories of projects and projects described in section 1703.

''(c) REGIONAL VARIATION.—Notwithstanding subsection (a)(2), the Secretary may, to account for regional variation in deployment of technology, make guarantees under this section for up to 6 projects that employ the same or similar technology as another project, provided no more than 2 projects that use the same or a similar technology are located in the same region of the United States.

''(d) STATE ENERGY FINANCING INSTITUTIONS.—Notwithstanding subsection (a), the Secretary may use up to 25 percent of authority provided for commitments to guarantee loans under this title for projects—

''(1) that are receiving financial support or credit enhancements from a State energy financing institution; and

''(2) that meet the requirements of paragraph (1) of subsection (a), but do not meet the requirements of paragraph (2) of subsection (a).

''(e) EMISSION LEVELS AND TAX CREDITS.—Subsections (d) and (e) of section 1703 shall apply with respect to projects receiving guarantees under this section.''.

(2) APPLICABILITY.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is further amended by adding at the end the following:

''(q) APPLICABILITY.—The Secretary shall not, for a period of 10 years after the date of enactment of this subsection, enter into a loan guarantee agreement for an eligible project—

''(1) under section 1703A; or

''(2) that is receiving financial support or credit enhancements from a State energy financing institution.''.

(3) CONFORMING AMENDMENTS.—

(A) DEFINITION OF ELIGIBLE PROJECTS.—Section 1701(3) of the Energy Policy Act of 2005 (42 U.S.C. 16511(3)) is amended by inserting ''or section 1703A'' after ''section 1703''.

(B) TABLE OF CONTENTS.—The table of contents for the Energy Policy Act of 2005 is amended by inserting after the item relating to section 1703 the following:

''Sec. 1703A. Other eligible projects.''.

SEC. 9502. AUTHORIZATION OF APPROPRIATIONS.

Section 1704 of the Energy Policy Act of 2005 (42 U.S.C. 16514) is amended by adding at the end the following:

''(c) ADMINISTRATIVE AND OTHER EXPENSES.—There are authorized to be appropriated—

''(1) $32,000,000 for each of fiscal years 2021 through 2025 to carry out this title; and

''(2) for fiscal year 2021, in addition to amounts authorized under paragraph (1), $25,000,000, to remain available until expended, for administrative expenses described in section 1702(h)(1) that are not covered by fees collected pursuant to section 1702(h).''.

TITLE X—CRITICAL MATERIALS

SEC. 10101. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate Congressional committees'' means the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate.

(2) CENTER.—The term ''Center'' means the Critical Materials Information Center established under section 10122(a).

(3) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(4) ENERGY CRITICAL MATERIAL.—The term ''energy critical material'' means any of a class of non-fuel materials that have a high risk of a supply disruption and are critical to one or more existing or new, energy-related technologies such that a substantial supply disruption of such material would significantly inhibit large-scale deployment of technologies that produce, transmit, store, or conserve energy.

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) PROGRAM.—The term ''program'' means the program authorized in section 10121(a).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

Subtitle A—Energy Critical Materials

SEC. 10121. ENERGY CRITICAL MATERIALS PROGRAM.

(a) AUTHORIZATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out a cross-cutting program of research, development, demonstration, and commercial application to assure the long-term, secure, and sustainable supply of energy critical materials sufficient to satisfy the national security, economic well-being, public health, and industrial production needs of the United States. This program may be carried out primarily by an Energy Innovation Hub established under section 206 of the Department of Energy Research Coordination Act (42 U.S.C. 18632).

(2) PROGRAM ACTIVITIES.—In carrying out this program, the Secretary shall focus on areas that the private sector by itself is not likely to undertake because of technical and financial uncertainty and support activities to—

(A) identify, develop, and test alternative minerals, metals, and replacement materials that—

(i) can be substituted for energy critical materials and maintain or exceed current performance; or

(ii) enable new component and system design options that lessen the need for energy critical materials;

particularly those alternative materials with existing production sources within the United States and not subject to substantial supply disruptions;

(B) engineer and test diverse applications that—

(i) accelerate recycling and use of recycled energy critical materials;

(ii) use alternative materials; or

(iii) seek to minimize energy critical material content;

(C) develop innovative technologies and practices to diversify commercially viable and sustainable domestic sources of energy critical materials, including technologies for recovery from waste streams, more efficient recovery of coproducts and byproducts, and reduction of energy intensity, environmental impact, and costs of the extraction, production, separation, alloying, and processing of energy critical materials;

(D) improve the understanding of the performance, processing, and adaptability in engineering designs using energy critical materials;

(E) develop advanced theoretical, computational, and experimental tools necessary to support the crosscutting research and development needs of diverse critical materials stakeholders;

(F) ensure that relevant facilities are available and equipped to assist in carrying out the direction of the program;

(G) advance new mapping and analytical technologies and techniques that identify and

characterize domestic critical materials resources; and

(H) improve the understanding of energy critical material supply chains, risks from supply disruption, supply restriction, volatility in demand, and ability to substitute.

(3) COORDINATION.—In carrying out the program under subsection (a) the Secretary of Energy shall coordinate and leverage resources and expertise across the Department and from—

(A) Federal agencies;

(B) National Laboratories;

(C) academic institutions;

(D) private sector entities, including small businesses;

(E) nongovernmental organizations; and

(F) other relevant entities or individuals.

(4) EXPANDING PARTICIPATION.—In carrying out the program, the Secretary shall encourage multidisciplinary collaborations of participants, including opportunities for students and postdoctoral staff at institutions of higher education.

(5) INTERNATIONAL COLLABORATION.—In carrying out the program, the Secretary shall collaborate, to the extent practicable, on activities of mutual interest with the relevant agencies and nongovernmental organizations of foreign countries with interests relating to energy critical materials.

(b) PLAN.—

(1) IN GENERAL.—Within 180 days after the date of enactment of this Act and biennially thereafter, the Secretary shall prepare and submit to the appropriate Congressional committees a plan to carry out the program.

(2) SPECIFIC REQUIREMENTS.—The plan required under paragraph (1) shall include a description of—

(A) the research and development activities to be carried out by the program during the subsequent 2 years;

(B) the expected contributions of the program to the creation of innovative methods and technologies for the efficient and sustainable provision of energy critical materials to the domestic economy;

(C) the expected activities of the program to mitigate the adverse environmental and health impacts of the extraction, processing, manufacturing, use, recovery, and recycling of energy critical materials; and

(D) how the program is promoting the broadest possible participation by academic, industrial, the public, and other contributors.

(3) CONSULTATION.—In preparing each plan under paragraph (1), the Secretary shall consult with appropriate representatives of industry, institutions of higher education, Department of Energy national laboratories, professional and technical societies, other Federal agencies, States, tribes, the public, and other entities, as determined by the Secretary.

(c) COORDINATION AND NONDUPLICATION.—To the maximum extent practicable, the Secretary shall ensure that the activities carried out under this subtitle are coordinated with, and do not unnecessarily duplicate the efforts of, other programs within the Federal Government.

(d) STANDARD OF REVIEW.—Not later than 2 years after the date of the enactment of this Act the Secretary of Energy shall conduct a review of activities carried out under this program described in subsection (a) to determine the achievement of technical milestones established in subsection (e).

(e) CRITICAL MATERIALS CONSORTIUM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall establish and operate a Critical Materials Consortium (referred to in this section as the ''Consortium'') for the purpose of supporting the program under subsection (a) by providing, to the maximum extent practicable, a centralized entity for multidisciplinary, collaborative, critical materials research and development.

(2) LEADERSHIP.—If an Energy Innovation Hub, consistent with section 206 of the Department of Energy Research Coordination Act, that is focused on energy critical materials exists on the date of enactment of this Act, then the Secretary shall leverage the personnel and expertise of such a Hub to manage the Consortium for at least a 3 year period following the establishment of the Consortium.

(3) MEMBERSHIP.—The members of the Consortium shall be representatives from relevant Federal agencies, the National Laboratories, institutions of higher education, private sector entities, multi-institutional collaborations, and other appropriate entities.

(4) ACTIVITIES.—The Consortium shall—

(A) develop and implement a multi-year program plan which includes the determination of technical goals and milestones and prioritizes leveraging of the user facilities, high performance computing capabilities, and expertise of the Department of Energy and the National Laboratories; and

(B) submit an annual report to the Secretary of Energy summarizing the activities of the Consortium which includes an evaluation of the Consortium's role in the achievement of technical milestones determined in subparagraph (A).

(5) DURATION.—The Consortium established under this subsection shall receive support for a period of not more than 5 years, subject to the availability of appropriations.

(6) RENEWAL.—Upon the expiration of any period of support of the Consortium, the Secretary of Energy may renew support for the Consortium, on a merit-reviewed basis, for a period of not more than 5 years.

(7) TERMINATION.—Consistent with the existing authorities of the Department, the Secretary of Energy may terminate the Consortium for cause during the performance period.

(f) CRITICAL MATERIALS AND SUPPLY CHAIN RESEARCH FACILITY.—The Secretary shall support construction of a facility that provides an integrated, rapidly reconfigurable research platform to further enable research and development activities throughout the supply chain for energy critical materials.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy $135,000,000 for each of fiscal years 2021 through 2025 to carry out this section.

SEC. 10122. CRITICAL MATERIALS RESEARCH DATABASE AND INFORMATION CENTER.

(a) IN GENERAL.—In carrying out the program established under section 10121, the Secretary, in consultation with the Director of the National Science Foundation shall establish and operate a Critical Materials Information Center to collect, catalogue, disseminate, and archive information on energy critical materials in coordination with the Office of Scientific and Technical Information of the Department of Energy, and support the development of a web-based platform to provide public access to a database of computed information on known and predicted critical materials and related material properties and computational tools in order to—

(1) accelerate breakthroughs in energy critical materials identification and design;

(2) strengthen the foundation for technologies that will enable more sustainable recycling, substitution, use, and recovery and minimize the environmental impacts of methods for extraction, processing, and manufacturing of energy critical materials; and

(3) drive the development of advanced materials for applications that span the Department's missions in energy, environment, and national security.

(b) ACTIVITIES.—In carrying out this section, the Secretary shall—

(1) conduct cooperative research with industry, academia, and other research institutions to facilitate the design of novel materials, including critical materials and substitutes for critical materials;

(2) leverage existing high-performance computing systems to conduct high throughput calculations and develop computing and data mining algorithms for the prediction of material properties, including a focus on critical materials;

(3) leverage and support research in mineralogy and mineral chemistry to enhance the understanding, prediction, and manipulation of critical materials;

(4) assist scientists and engineers in making the fullest possible use of the Department's relevant data holdings, including the scientific and technical data generated by the research and development activities funded under section 1021;

(5) seek and incorporate other information on energy critical materials to enhance the Department's utility for program participants and other users;

(6) manage and make available to researchers and the public accessible, curated, standardized, secure, and privacy protected data sets from the public and private sectors for the purposes of critical materials research and development activities.

(c) COORDINATION.—To carry out this section, the Secretary of Energy shall leverage and ensure the coordination of relevant programs, facilities, and activities across the Department, including the Critical Materials Consortium established under section 10121(e).

(d) SECURITY.—In carrying out the activities authorized by this section, the Secretary of Energy, in consultation with the Director of the National Science Foundation, shall ensure proper security controls are in place to protect proprietary or sensitive data, as appropriate.

SEC. 10123. CRITICAL MATERIALS INTERAGENCY SUBCOMMITTEE.

(a) IN GENERAL.—The Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this section as the ''Subcommittee''), shall coordinate Federal science and technology efforts to ensure secure, reliable, and environmentally sustainable supplies of critical materials to the United States.

(b) PURPOSES.—the purposes of the Subcommittee shall be—

(1) to advise and assist the National Science and Technology Council, including the Committee on Homeland and National Security, on United States policies, procedures, and plans as it relates to critical materials, including—

(A) Federal research, development, and commercial application efforts to minimize the environmental impacts of methods for extractions, concentration, separation and purification of conventional, secondary, and unconventional sources of critical materials;

(B) efficient use, substitution, and reuse of critical materials;

(C) the critical materials workforce of the United States; and

(D) United States private industry investments in innovation and technology transfer from federally funded science and technology;

(2) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical materials and establish scenario modeling systems for supply problems of critical materials and energy critical materials;

(3) to ensure the transparency of information and data related to critical materials; and

(4) to provide recommendations on coordination and collaboration among the research, development, and deployment programs and activities of Federal agencies to promote a secure and reliable supply of critical materials necessary to maintain national security, economic well-being, public health, and industrial production.

(c) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(1) provide recommendations on how Federal agencies may improve the topographic, geologic,

and geophysical mapping of the United States and improve the discoverability, accessibility, and usability of the resulting and existing data, to the extent permitted by law and subject to appropriate limitation for purposes of privacy and security; assess the progress towards developing critical materials recycling and reprocessing technologies, and technological alternatives to critical materials;

(2) establish a mechanism for the coordination and evaluation of Federal programs with energy critical material needs, including Federal programs involving research and development, in a manner that complements related efforts carried out by the private sector and other domestic and international agencies and organizations;

(3) examine options for accessing and developing critical materials through investment and trade with our allies and partners and provide recommendations;

(4) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(5) assess the need for and make recommendations to address the challenges the United States critical materials supply chain workforce faces, including aging and retiring personnel and faculty, and foreign competition for United States talent;

(6) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance scientific and technical capabilities across critical material supply chains, including a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and substitution for critical materials; as well as cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development; and

(7) assess the need for, and make recommendations concerning, the availability and adequacy of the supply of technically trained personnel necessary for energy critical materials research, development, extraction, and industrial production, with a particular focus on the problem of attracting and maintaining high-quality professionals for maintaining an adequate supply of energy critical materials; and

(8) report to the appropriate Congressional committees on activities and findings under this section.

Subtitle B—National Materials and Minerals Policy, Research, and Development

SEC. 10141. AMENDMENTS TO NATIONAL MATERIALS AND MINERALS POLICY, RESEARCH AND DEVELOPMENT ACT OF 1980.

(a) PROGRAM PLAN.—Section 5 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604) is amended—

(1) by striking ''date of enactment of this Act'' each place it appears and inserting ''date of enactment of the Clean Economy Jobs and Innovation Act'';

(2) in subsection (b)(1), by striking ''Federal Coordinating Council for Science, Engineering, and Technology'' and inserting ''National Science and Technology Council'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''the Federal Emergency'' and all that follows through ''Agency, and''; and

(ii) by striking ''appropriate shall'' and inserting ''appropriate, shall'';

(B) by striking paragraph (1);

(C) in paragraph (2), by striking ''in the case'' and all that follows through ''subsection,'';

(D) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(E) by amending paragraph (2), as so redesignated, to read as follows:

''(2) assess the adequacy and stability of the supply of materials necessary to maintain national security, economic well-being, public health, and industrial production.'';

(4) by striking subsection (d); and

(5) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(b) POLICY.—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended—

(1) by striking ''The Congress declares that it'' and inserting ''It''; and

(2) by striking ''The Congress further declares that implementation'' and inserting ''Implementation''.

(c) IMPLEMENTATION.—Section 4 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1603) is amended, in the matter preceding paragraph (1)—

(1) by striking ''For the purpose'' and all that follows through ''declares that the'' and inserting ''The''; and

(2) by striking ''departments and agencies,'' and inserting ''departments and agencies to implement the policy specified in section 3''.

SEC. 10142. CONFORMING REPEAL.

The National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.) is repealed.

TITLE XI—ENVIRONMENTAL JUSTICE

SEC. 11001. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) ADVISORY COUNCIL.—The term ''Advisory Council'' means the National Environmental Justice Advisory Council described in section 11009.

(3) AGGRIEVED PERSON.—The term ''aggrieved person'' means a person aggrieved by discrimination on the basis of race, color, or national origin.

(4) CLEARINGHOUSE.—The term ''Clearinghouse'' means the Environmental Justice Clearinghouse established by the Administrator under section 11007.

(5) COMMUNITY OF COLOR.—The term ''community of color'' means any geographically distinct area the population of color of which is higher than the average population of color of the State in which the community is located.

(6) COMMUNITY-BASED SCIENCE.—The term ''community-based science'' means voluntary public participation in the scientific process and the incorporation of data and information generated outside of traditional institutional boundaries to address real-world problems in ways that may include formulating research questions, conducting scientific experiments, collecting and analyzing data, interpreting results, making new discoveries, developing technologies and applications, and solving complex problems, with an emphasis on the democratization of science and the engagement of diverse people and communities.

(7) DEMONSTRATES.—The term ''demonstrates'' means meets the burdens of going forward with the evidence and of persuasion.

(8) DIRECTOR.—The term ''Director'' means the Director of the National Institute of Environmental Health Sciences.

(9) DISPARATE IMPACT.—The term ''disparate impact'' means an action or practice that, even if appearing neutral, actually has the effect of subjecting persons to discrimination because of their race, color, or national origin.

(10) DISPROPORTIONATE BURDEN OF ADVERSE HUMAN HEALTH OR ENVIRONMENTAL EFFECTS.—The term ''disproportionate burden of adverse human health or environmental effects'' means a situation where there exists higher or more adverse human health or environmental effects on communities of color, low-income communities, and Tribal and indigenous communities.

(11) ENVIRONMENTAL JUSTICE.—The term ''environmental justice'' means the fair treatment and meaningful involvement of all individuals, regardless of race, color, culture, national origin, educational level, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies to ensure that—

(A) populations of color, communities of color, Tribal and indigenous communities, and low-income communities have access to public information and opportunities for meaningful public participation relating to human health and environmental planning, regulations, and enforcement;

(B) Each population of color or community of color, Tribal and indigenous community, or low-income community enjoy the same degree of protection from pollution or other environmental and health hazards; and

(C) the 17 Principles of Environmental Justice written and adopted at the First National People of Color Environmental Leadership Summit held on October 24 through 27, 1991, in Washington, DC, are upheld.

(12) ENVIRONMENTAL JUSTICE COMMUNITY.—The term ''environmental justice community'' means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities, that experiences, or is at risk of experiencing higher or more adverse human health or environmental effects.

(13) FAIR TREATMENT.—The term ''fair treatment'' means the conduct of a program, policy, practice or activity by a Federal agency in a manner that ensures that no group of individuals (including racial, ethnic, or socioeconomic groups) experience a disproportionate burden of adverse human health or environmental effects resulting from such program, policy, practice, or activity, as determined through consultation with, and with the meaningful participation of, individuals from the communities affected by a program, policy, practice or activity of a Federal agency.

(14) FEDERAL AGENCY.—The term ''Federal agency'' means—

(A) each Federal agency represented on the Working Group; and

(B) any other Federal agency that carries out a Federal program or activity that substantially affects human health or the environment, as determined by the President.

(15) TRIBAL AND INDIGENOUS COMMUNITY.—The term ''Tribal and indigenous community'' refers to a population of people who are members of—

(A) a federally recognized Indian Tribe;

(B) a State-recognized Indian Tribe;

(C) an Alaska Native or Native Hawaiian community or organization; and

(D) any other community of indigenous people located in a State.

(16) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(17) INFRASTRUCTURE.—The term ''infrastructure'' means any system for safe drinking water, sewer collection, solid waste disposal, electricity generation, communication, or transportation access (including highways, airports, marine terminals, rail systems, and residential roads) that is used to effectively and safely support—

(A) housing;

(B) an educational facility;

(C) a medical provider;

(D) a park or recreational facility; or

(E) a local business.

(18) LOCAL GOVERNMENT.—The term ''local government'' means—

(A) a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate governmental entity, or agency or instrumentality of a local government; or

(B) an Indian Tribe or authorized Tribal organization, or Alaska Native village or organization, that is not a Tribal Government.

(19) LOW INCOME.—The term ''low income'' means an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(20) LOW-INCOME COMMUNITY.—The term ''low income community'' means any census block group in which 30 percent or more of the population are individuals with low income.

(21) MEANINGFUL.—The term ''meaningful'', with respect to involvement by the public in a determination by a Federal agency, means that—

(A) potentially affected residents of a community have an appropriate opportunity to participate in decisions regarding a proposed activity that will affect the environment or public health of the community;

(B) the public contribution can influence the determination by the Federal agency;

(C) the concerns of all participants involved are taken into consideration in the decision-making process; and

(D) the Federal agency—

(i) provides to potentially affected members of the public relevant and accurate information regarding the activity potentially affecting the environment or public health of affected members of the public; and

(ii) facilitates the involvement of potentially affected members of the public.

(22) POPULATION.—The term ''population'' means a census block group or series of geographically contiguous blocks representing certain common characteristics, such as (but not limited to) race, ethnicity, national origin, income-level, health disparities, or other public health and socioeconomic attributes.

(23) POPULATION OF COLOR.—The term ''population of color'' means a population of individuals who identify as—

(A) Black;

(B) African American;

(C) Asian;

(D) Pacific Islander;

(E) another non-White race;

(F) Hispanic;

(G) Latino; or

(H) linguistically isolated.

(24) PUBLISH.—The term ''publish'' means to make publicly available in a form that is—

(A) generally accessible, including on the internet and in public libraries; and

(B) accessible for—

(i) individuals who are limited in English proficiency, in accordance with Executive Order 13166 (65 Fed. Reg. 50121 (August 16, 2000)); and

(ii) individuals with disabilities.

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

(26) TRIBAL GOVERNMENT.—The term ''Tribal Government'' means the governing body of an Indian Tribe.

(27) WORKING GROUP.—The term ''Working Group'' means the interagency Federal Working Group on Environmental Justice convened under section 1–102 of Executive Order 12898 (42 U.S.C. 4321 note), as amended by Executive Order 12948 (60 Fed. Reg. 6381 (January 30, 1995)) and modified by this title.

SEC. 11002. ENVIRONMENTAL JUSTICE COMMUNITY TECHNICAL ASSISTANCE GRANTS.

(a) IN GENERAL.—The Administrator may award grants to eligible entities to enable such entities to participate in decisions impacting the health and safety of their communities in connection with an actual or potential release of a covered hazardous air pollutant.

(b) TIMING.—

(1) GUIDANCE.—Not later than 12 months after the date of enactment of this section, the Administrator shall publish guidance describing the process for eligible entities to apply for a grant under this section, including the required content and form of applications, the manner in which applications must be submitted, and any applicable deadlines.

(2) FIRST GRANT.—Not later than 180 days after the issuance of guidance under paragraph (1), the Administrator shall award the first grant under this section.

(c) ELIGIBLE ENTITY.—To be eligible for a grant under this section, an applicant shall be a group of individuals who reside in a community that—

(1) is a population of color, a community of color, a Tribal and indigenous community, or a low-income community; and

(2) is in close proximity to the site of an actual or potential release of a covered hazardous air pollutant.

(d) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant to participate in decisions impacting the health and safety of the community involved in connection with an actual or potential release of a covered hazardous air pollutant, including—

(1) interpreting information with regard to the nature of the hazard, cumulative impacts studies, health impacts studies, remedial investigation and feasibility studies, agency decisions, remedial design, and operation and maintenance of necessary monitors; and

(2) performing additional air pollution monitoring.

(e) LIMITATIONS ON AMOUNT; RENEWAL.—

(1) AMOUNT.—

(A) IN GENERAL.—The amount of a grant under this section (excluding any renewals of the grant) may not exceed $50,000 for any grant recipient.

(B) EXCEPTION.—The Administrator may waive the limitation in subparagraph (A) with respect to an applicant in any case where the Administrator determines that such waiver is necessary for the community involved to obtain the necessary technical assistance.

(2) RENEWAL.—Grants may be renewed for each step in the regulatory, removal, or remediation process in connection with a facility with the potential to release a covered hazardous air pollutant.

(f) DEFINITION OF COVERED HAZARDOUS AIR POLLUTANT.—In this section, the term ''covered hazardous air pollutant'' means a hazardous air pollutant (as defined in section 112 of the Clean Air Act) that—

(1) is listed on the toxics release inventory under section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986; or

(2) is identified as carcinogenic by an assessment under the Integrated Risk Information System (IRIS) of the Environmental Protection Agency.

SEC. 11003. INTERAGENCY FEDERAL WORKING GROUP ON ENVIRONMENTAL JUSTICE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall convene, as appropriate to carry out this section, the Working Group.

(b) REQUIREMENTS.—

(1) COMPOSITION.—The Working Group shall be comprised of the following (or a designee):

(A) The Secretary of Agriculture.

(B) The Secretary of Commerce.

(C) The Secretary of Defense.

(D) The Secretary of Energy.

(E) The Secretary of Health and Human Services.

(F) The Secretary of Homeland Security.

(G) The Secretary of Housing and Urban Development.

(H) The Secretary of the Interior.

(I) The Secretary of Labor.

(J) The Secretary of Transportation.

(K) The Attorney General.

(L) The Administrator.

(M) The Director of the Office of Environmental Justice.

(N) The Chairman of the Consumer Product Safety Commission.

(O) The Chairperson of the Chemical Safety Board.

(P) The Director of the Office of Management and Budget.

(Q) The Director of the Office of Science and Technology Policy.

(R) The Chair of the Council on Environmental Quality.

(S) The Assistant to the President for Domestic Policy.

(T) The Director of the National Economic Council.

(U) The Chairman of the Council of Economic Advisers.

(V) The Secretary of Education.

(W) The Deputy Assistant to the President for Environmental Policy.

(X) The Director of the National Institutes of Health.

(Y) The Director of the National Park Service.

(Z) The Assistant Secretary of the Bureau of Indian Affairs.

(AA) The Chairperson of the National Environmental Justice Advisory Council.

(BB) Such other Federal officials as the President may designate.

(2) FUNCTIONS.—The Working Group shall—

(A) report to the President through the Chair of the Council on Environmental Quality;

(B) provide guidance to Federal agencies regarding criteria for identifying disproportionately high and adverse human health or environmental effects—

(i) on populations of color, communities of color, Tribal and indigenous communities, and low-income communities; and

(ii) on the basis of race, color, national origin, or income;

(C) coordinate with, provide guidance to, and serve as a clearinghouse for, each Federal agency with respect to the implementation and updating of an environmental justice strategy required under this title, in order to ensure that the administration, interpretation, and enforcement of programs, activities, and policies are carried out in a consistent manner;

(D) assist in coordinating research by, and stimulating cooperation among, the Environmental Protection Agency, the Department of Health and Human Services, the Department of Housing and Urban Development, and other Federal agencies conducting research or other activities in accordance with this title;

(E) identify, based in part on public recommendations contained in Federal agency progress reports, important areas for Federal agencies to take into consideration and address, as appropriate, in environmental justice strategies and other efforts;

(F) assist in coordinating data collection and maintaining and updating appropriate databases, as required by this title;

(G) examine existing data and studies relating to environmental justice;

(H) hold public meetings and otherwise solicit public participation under paragraph (3); and

(I) develop interagency model projects relating to environmental justice that demonstrate cooperation among Federal agencies.

(3) PUBLIC PARTICIPATION.—The Working Group shall—

(A) hold public meetings or otherwise solicit public participation and community-based science for the purpose of fact-finding with respect to the implementation of this title; and

(B) prepare for public review and publish a summary of any comments and recommendations provided.

(c) JUDICIAL REVIEW AND RIGHTS OF ACTION.—Any person may commence a civil action—

(1) to seek relief from, or to compel, an agency action under this section (including regulations promulgated pursuant to this section); or

(2) otherwise to ensure compliance with this section (including regulations promulgated pursuant to this section).

SEC. 11004. FEDERAL AGENCY ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE.

(a) FEDERAL AGENCY RESPONSIBILITIES.—

(1) ENVIRONMENTAL JUSTICE MISSION.—To the maximum extent practicable and permitted by applicable law, each Federal agency shall make achieving environmental justice part of the mission of the Federal agency by identifying, addressing, and mitigating disproportionately high and adverse human health or environmental effects of the programs, policies, and activities of the Federal agency on populations of color, communities of color, Tribal and indigenous communities, and low-income communities in the United States (including the territories and possessions of the United States and the District of Columbia).

(2) NONDISCRIMINATION.—Each Federal agency shall conduct any program, policy, or activity that substantially affects human health or the environment in a manner that ensures that the program, policy, or activity does not have the effect of excluding any individual or group from participation in, denying any individual or group the benefits of, or subjecting any individual or group to discrimination under, the program, policy, or activity because of race, color, or national origin.

(3) STRATEGIES.—

(A) AGENCYWIDE STRATEGIES.—Each Federal agency shall implement and update, not less frequently than annually, an agencywide environmental justice strategy that identifies and includes strategies to address disproportionally high and adverse human health or environmental effects of the programs, policies, spending, and other activities of the Federal agency with respect to populations of color, communities of color, Tribal and indigenous communities, and low-income communities, including, as appropriate for the mission of the Federal agency, with respect to the following areas:

(i) Implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(ii) Implementation of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (including regulations promulgated pursuant to that title).

(iii) Implementation of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(iv) Impacts from the lack of infrastructure, or from deteriorated infrastructure.

(v) Impacts from land use.

(vi) Impacts from climate change.

(vii) Impacts from commercial transportation.

(viii) Strategies for the implementation of agency programs, policies, and activities to provide for—

(I) equal protection from environmental and health hazards for populations of color, communities of color, Tribal and indigenous communities, and low-income communities;

(II) equal opportunity for public involvement and due process to populations of color, communities of color, Tribal and indigenous communities, and low-income communities in the development, implementation, and enforcement of agency programs, policies, and activities;

(III) improved technical assistance and access to information to populations of color, communities of color, Tribal and indigenous communities, and low-income communities regarding the impacts of agency programs, policies, and activities on environmental justice communities;

(IV) improved agency cooperation with State governments, Tribal Governments, and local governments to address pollution and public health burdens for populations of color, communities of color, Tribal and indigenous communities, and low-income communities.

(B) REVISIONS.—

(i) IN GENERAL.—Each strategy developed and updated pursuant to subparagraph (A) shall identify programs, policies, planning and public participation processes, rulemaking, agency spending, and enforcement activities relating to human health or the environment that may be revised, at a minimum—

(I) to promote enforcement of all health, environmental, and civil rights laws and regulations in areas containing populations of color, communities of color, Tribal and indigenous communities, and low-income communities;

(II) to ensure greater public participation;

(III) to provide increased access to infrastructure;

(IV) to improve research and data collection relating to the health and environment of populations of color, communities of color, Tribal and indigenous communities, and low-income communities, including through the increased use of community-based science; and

(V) to identify differential patterns of use of natural resources among populations of color, communities of color, Tribal and indigenous communities, and low-income communities.

(ii) TIMETABLES.—Each strategy implemented and updated pursuant to subparagraph (A) shall include a timetable for undertaking revisions identified pursuant to clause (i).

(C) PROGRESS REPORTS.—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every 5 years thereafter, each Federal agency shall submit to Congress and the Working Group, and shall publish, a progress report that includes, with respect to the period covered by the report—

(i) a description of the current environmental justice strategy of the Federal agency;

(ii) an evaluation of the progress made by the Federal agency at national and regional levels regarding implementation of the environmental justice strategy, including—

(I) metrics used by the Federal agency to measure performance; and

(II) the progress made by the Federal agency toward—

(aa) the achievement of the metrics described in subclause (I); and

(bb) mitigating identified instances of environmental injustice;

(iii) a description of the participation by the Federal agency in interagency collaboration;

(iv) responses to recommendations submitted by members of the public to the Federal agency relating to the environmental justice strategy of the Federal agency and the implementation by the Federal agency of this title; and

(v) any updates or revisions to the environmental justice strategy of the Federal agency, including those resulting from public comments.

(4) PUBLIC PARTICIPATION.—Each Federal agency shall—

(A) ensure that meaningful opportunities exist for the public to submit comments and recommendations relating to the environmental justice strategy, progress reports, and ongoing efforts of the Federal agency to incorporate environmental justice principles into the programs, policies, and activities of the Federal agency;

(B) hold public meetings or otherwise solicit public participation and community-based science from populations of color, communities of color, Tribal and indigenous communities, and low-income communities for fact-finding, receiving public comments, and conducting inquiries concerning environmental justice; and

(C) prepare for public review and publish a summary of the comments and recommendations provided.

(5) ACCESS TO INFORMATION.—Each Federal agency shall—

(A) publish public documents, notices, and hearings relating to the programs, policies, and activities of the Federal agency that affect human health or the environment; and

(B) translate and publish any public documents, notices, and hearings relating to an action of the Federal agency as appropriate for the affected population, specifically in any case in which a limited English-speaking population may be disproportionately affected by that action.

(6) CODIFICATION OF GUIDANCE.—

(A) COUNCIL ON ENVIRONMENTAL QUALITY.—Notwithstanding any other provision of law, sections II and III of the guidance issued by the Council on Environmental Quality entitled ''Environmental Justice Guidance Under the National Environmental Policy Act'' and dated December 10, 1997, are enacted into law.

(B) ENVIRONMENTAL PROTECTION AGENCY.—Notwithstanding any other provision of law, the guidance issued by the Environmental Protection Agency entitled ''EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights'' and dated February 2016 is enacted into law.

(b) HUMAN HEALTH AND ENVIRONMENTAL RESEARCH, DATA COLLECTION, AND ANALYSIS.—

(1) RESEARCH.—Each Federal agency, to the maximum extent practicable and permitted by applicable law, shall—

(A) in conducting environmental or human health research, include diverse segments of the population in epidemiological and clinical studies, including segments at high risk from environmental hazards, such as—

(i) populations of color, communities of color, Tribal and indigenous communities, populations with low income, and low-income communities;

(ii) fenceline communities; and

(iii) workers who may be exposed to substantial environmental hazards;

(B) in conducting environmental or human health analyses, identify multiple and cumulative exposures; and

(C) actively encourage and solicit community-based science, and provide to populations of color, communities of color, Tribal and indigenous communities, populations with low income, and low income communities the opportunity to comment regarding the development and design of research strategies carried out pursuant to this title.

(2) DISPROPORTIONATE IMPACT.—To the maximum extent practicable and permitted by applicable law (including section 552a of title 5, United States Code (commonly known as the Privacy Act)), each Federal agency shall—

(A) collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin, or income; and

(B) use that information to determine whether the programs, policies, and activities of the Federal agency have disproportionally high and adverse human health or environmental effects on populations of color, communities of color, Tribal and indigenous communities, and low-income communities.

(3) INFORMATION RELATING TO NON-FEDERAL FACILITIES.—In connection with the implementation of Federal agency strategies under subsection (a)(3), each Federal agency, to the maximum extent practicable and permitted by applicable law, shall collect, maintain, and analyze information relating to the race, national origin, and income level, and other readily accessible and appropriate information, for fenceline communities in proximity to any facility or site expected to have a substantial environmental, human health, or economic effect on the surrounding populations, if the facility or site becomes the subject of a substantial Federal environmental administrative or judicial action.

(4) IMPACT FROM FEDERAL FACILITIES.—Each Federal agency, to the maximum extent practicable and permitted by applicable law, shall collect, maintain, and analyze information relating to the race, national origin, and income level, and other readily accessible and appropriate information, for fenceline communities in proximity to any facility of the Federal agency that is—

(A) subject to the reporting requirements under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001 et

seq.), as required by Executive Order 12898 (42 U.S.C. 4321 note); and

(B) expected to have a substantial environmental, human health, or economic effect on surrounding populations.

(c) CONSUMPTION OF FISH AND WILDLIFE.—

(1) IN GENERAL.—Each Federal agency shall develop, publish (unless prohibited by law), and revise, as practicable and appropriate, guidance on actions of the Federal agency that will impact fish and wildlife consumed by populations that principally rely on fish or wildlife for subsistence.

(2) REQUIREMENT.—The guidance described in paragraph (1) shall—

(A) reflect the latest scientific information available concerning methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or wildlife; and

(B) publish the risks of such consumption patterns.

(d) MAPPING AND SCREENING TOOL.—The Administrator shall continue to make available to the public an environmental justice mapping and screening tool (such as EJScreen or an equivalent tool) that includes, at a minimum, the following features:

(1) Nationally consistent data.

(2) Environmental data.

(3) Demographic data, including data relating to race, ethnicity, and income.

(4) Capacity to produce maps and reports by geographical area.

(5) Data on national parks and other federally protected natural, historic, and cultural sites.

(e) JUDICIAL REVIEW AND RIGHTS OF ACTION.—Any person may commence a civil action—

(1) to seek relief from, or to compel, an agency action under this section (including regulations promulgated pursuant to this section); or

(2) otherwise to ensure compliance with this section (including regulations promulgated pursuant to this section).

(f) INFORMATION SHARING.—In carrying out this section, each Federal agency, to the maximum extent practicable and permitted by applicable law, shall share information and eliminate unnecessary duplication of efforts through the use of existing data systems and cooperative agreements among Federal agencies and with State, local, and Tribal Governments.

SEC. 11005. TRAINING OF EMPLOYEES OF FEDERAL AGENCIES.

(a) INITIAL TRAINING.—Not later than 1 year after the date of enactment of this Act, each employee of the Department of Energy, the Environmental Protection Agency, the Department of the Interior, and the National Oceanic and Atmospheric Administration shall complete an environmental justice training program to ensure that each such employee—

(1) has received training in environmental justice; and

(2) is capable of—

(A) appropriately incorporating environmental justice concepts into the daily activities of the employee; and

(B) increasing the meaningful participation of individuals from environmental justice communities in the activities of the applicable agency.

(b) MANDATORY PARTICIPATION.—Effective on the date that is 1 year after the date of enactment of this Act, each individual hired by the Department of Energy, the Environmental Protection Agency, the Department of the Interior, and the National Oceanic and Atmospheric Administration after that date shall be required to participate in environmental justice training.

(c) REQUIREMENT RELATING TO CERTAIN EMPLOYEES.—

(1) IN GENERAL.—With respect to each Federal agency that participates in the Working Group, not later than 30 days after the date on which an individual is appointed to the position of environmental justice coordinator, or any other position the responsibility of which involves the conduct of environmental justice activities, the individual shall be required to possess documentation of the completion by the individual of environmental justice training.

(2) EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Inspector General of each Federal agency that participates in the Working Group shall evaluate the training programs of such Federal agency to determine if such Federal agency has improved the rate of training of the employees of such Federal agency to ensure that each employee has received environmental justice training.

SEC. 11006. ENVIRONMENTAL JUSTICE BASIC TRAINING PROGRAM.

(a) ESTABLISHMENT.—The Administrator shall establish a basic training program, in coordination and consultation with nongovernmental environmental justice organizations, to increase the capacity of residents of environmental justice communities to identify and address disproportionately adverse human health or environmental effects by providing culturally and linguistically appropriate—

(1) training and education relating to—

(A) basic and advanced techniques for the detection, assessment, and evaluation of the effects of hazardous substances on human health;

(B) methods to assess the risks to human health presented by hazardous substances;

(C) methods and technologies to detect hazardous substances in the environment;

(D) basic biological, chemical, and physical methods to reduce the quantity and toxicity of hazardous substances;

(E) the rights and safeguards currently afforded to individuals through policies and laws intended to help environmental justice communities address disparate impacts and discrimination, including—

(i) laws adopted to protect human health and the environment; and

(ii) section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–1);

(F) public engagement opportunities through the policies and laws described in subparagraph (E);

(G) materials available on the Clearinghouse described in section 11007;

(H) methods to expand access to parks and other natural and recreational amenities; and

(I) finding and applying for Federal grants related to environmental justice; and

(2) short courses and continuation education programs for residents of communities who are located in close proximity to hazardous substances to provide—

(A) education relating to—

(i) the proper manner to handle hazardous substances;

(ii) the management of facilities at which hazardous substances are located (including facility compliance protocols); and

(iii) the evaluation of the hazards that facilities described in clause (ii) pose to human health; and

(B) training on environmental and occupational health and safety with respect to the public health and engineering aspects of hazardous waste control.

(b) GRANT PROGRAM.—

(1) ESTABLISHMENT.—In carrying out the basic training program established under subsection (a), the Administrator may provide grants to, or enter into any contract or cooperative agreement with, an eligible entity to carry out any training or educational activity described in subsection (a).

(2) ELIGIBLE ENTITY.—To be eligible to receive assistance under paragraph (1), an eligible entity shall be an accredited institution of education in partnership with—

(A) a community-based organization that carries out activities relating to environmental justice;

(B) a generator of hazardous waste;

(C) any individual who is involved in the detection, assessment, evaluation, or treatment of hazardous waste;

(D) any owner or operator of a facility at which hazardous substances are located; or

(E) any State government, Tribal Government, or local government.

(c) PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Director, shall develop and publish in the Federal Register a plan to carry out the basic training program established under subsection (a).

(2) CONTENTS.—The plan described in paragraph (1) shall contain—

(A) a list that describes the relative priority of each activity described in subsection (a); and

(B) a description of research and training relevant to environmental justice issues of communities adversely affected by pollution.

(3) COORDINATION WITH FEDERAL AGENCIES.—The Administrator shall, to the maximum extent practicable, take appropriate steps to coordinate the activities of the basic training program described in the plan with the activities of other Federal agencies to avoid any duplication of effort.

(d) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representative and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing—

(A) the implementation of the basic training program established under subsection (a); and

(B) the impact of the basic training program on improving training opportunities for residents of environmental justice communities.

(2) PUBLIC AVAILABILITY.—The Administrator shall make the report required under paragraph (1) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2021 through 2025.

SEC. 11007. ENVIRONMENTAL JUSTICE CLEARINGHOUSE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall establish a public internet-based clearinghouse, to be known as the Environmental Justice Clearinghouse.

(b) CONTENTS.—The Clearinghouse shall be comprised of culturally and linguistically appropriate materials related to environmental justice, including—

(1) information describing the activities conducted by the Environmental Protection Agency to address issues relating to environmental justice;

(2) copies of training materials provided by the Administrator to help individuals and employees understand and carry out environmental justice activities;

(3) links to web pages that describe environmental justice activities of other Federal agencies;

(4) a directory of individuals who possess technical expertise in issues relating to environmental justice;

(5) a directory of nonprofit and community-based organizations, including grassroots organizations led by people of color, that address issues relating to environmental justice at the local, State, and Federal levels (with particular emphasis given to nonprofit and community-based organizations that possess the capability to provide advice or technical assistance to environmental justice communities); and

(6) any other appropriate information as determined by the Administrator, including information on any resources available to help address the disproportionate burden of adverse human health or environmental effects on environmental justice communities.

(c) CONSULTATION.—In developing the Clearinghouse, the Administrator shall consult with individuals representing academic and community-based organizations who have expertise in issues relating to environmental justice.

(d) ANNUAL REVIEW.—The Advisory Council shall—

(1) conduct a review of the Clearinghouse on an annual basis; and

(2) recommend to the Administrator any updates for the Clearinghouse that the Advisory Council determines to be necessary for the effective operation of the Clearinghouse.

SEC. 11008. PUBLIC MEETINGS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and biennially thereafter, the Administrator shall hold public meetings on environmental justice issues in each region of the Environmental Protection Agency to gather public input with respect to the implementation and updating of environmental justice strategies and efforts of the Environmental Protection Agency.

(b) OUTREACH TO ENVIRONMENTAL JUSTICE COMMUNITIES.—The Administrator, in advance of the meetings described in subsection (a), shall to the extent practicable hold multiple meetings in environmental justice communities in each region to provide meaningful community involvement opportunities.

(c) NOTICE.—Notice for the meetings described in subsections (a) and (b) shall be provided—

(1) to applicable representative entities or organizations present in the environmental justice community including—

(A) local religious organizations;

(B) civic associations and organizations;

(C) business associations of people of color;

(D) environmental and environmental justice organizations;

(E) homeowners', tenants', and neighborhood watch groups;

(F) local and Tribal Governments;

(G) rural cooperatives;

(H) business and trade organizations;

(I) community and social service organizations;

(J) universities, colleges, and vocational schools;

(K) labor organizations;

(L) civil rights organizations;

(M) senior citizens' groups; and

(N) public health agencies and clinics;

(2) through communication methods that are accessible in the applicable environmental justice community, which may include electronic media, newspapers, radio, and other media particularly targeted at communities of color, low-income communities, and Tribal and indigenous communities; and

(3) at least 30 days before any such meeting.

(d) COMMUNICATION METHODS AND REQUIREMENTS.—The Administrator shall—

(1) provide translations of any documents made available to the public pursuant to this section in any language spoken by more than 5 percent of the population residing within the applicable environmental justice community, and make available translation services for meetings upon request; and

(2) not require members of the public to produce a form of identification or register their names, provide other information, complete a questionnaire, or otherwise fulfill any condition precedent to attending a meeting, but if an attendance list, register, questionnaire, or other similar document is utilized during meetings, it shall state clearly that the signing, registering, or completion of the document is voluntary.

(e) REQUIRED ATTENDANCE OF CERTAIN EMPLOYEES.—In holding a public meeting under subsection (a), the Administrator shall ensure that at least 1 employee of the Environmental Protection Agency at the level of Assistant Administrator is present at the meeting to serve as a representative of the Environmental Protection Agency.

SEC. 11009. NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—The President shall establish an advisory council, to be known as the National Environmental Justice Advisory Council.

(b) MEMBERSHIP.—The Advisory Council shall be comprised of 26 members who have knowledge of, or experience relating to, the effect of environmental conditions on communities of color, low-income communities, and Tribal and indigenous communities, including—

(1) representatives of—

(A) community-based organizations that carry out initiatives relating to environmental justice, including grassroots organizations led by people of color;

(B) State governments, Tribal Governments, and local governments;

(C) Indian Tribes and other indigenous groups;

(D) nongovernmental and environmental organizations; and

(E) private sector organizations (including representatives of industries and businesses); and

(2) experts in the fields of—

(A) socioeconomic analysis;

(B) health and environmental effects;

(C) exposure evaluation;

(D) environmental law and civil rights law; and

(E) environmental health science research.

(c) SUBCOMMITTEES; WORKGROUPS.—

(1) ESTABLISHMENT.—The Advisory Council may establish any subcommittee or workgroup to assist the Advisory Council in carrying out any duty of the Advisory Council described in subsection (d).

(2) REPORT.—Upon the request of the Advisory Council, each subcommittee or workgroup established by the Advisory Council under paragraph (1) shall submit to the Advisory Council a report that contains—

(A) a description of each recommendation of the subcommittee or workgroup; and

(B) any advice requested by the Advisory Council with respect to any duty of the Advisory Council.

(d) DUTIES.—The Advisory Council shall provide independent advice and recommendations to the Environmental Protection Agency with respect to issues relating to environmental justice, including advice—

(1) to help develop, facilitate, and conduct reviews of the direction, criteria, scope, and adequacy of the scientific research and demonstration projects of the Environmental Protection Agency relating to environmental justice;

(2) to improve participation, cooperation, and communication with respect to such issues—

(A) within the Environmental Protection Agency;

(B) between, and among, the Environmental Protection Agency and Federal agencies, State and local governments, Indian Tribes, environmental justice leaders, interest groups, and the public;

(3) requested by the Administrator to help improve the response of the Environmental Protection Agency in securing environmental justice for communities of color, low-income communities, and Tribal and indigenous communities; and

(4) on issues relating to—

(A) the developmental framework of the Environmental Protection Agency with respect to the integration by the Environmental Protection Agency of socioeconomic programs into the strategic planning, annual planning, and management accountability of the Environmental Protection Agency to achieve environmental justice results throughout the Environmental Protection Agency;

(B) the measurement and evaluation of the progress, quality, and adequacy of the Environmental Protection Agency in planning, developing, and implementing environmental justice strategies, project, and programs;

(C) any existing and future information management systems, technologies, and data collection activities of the Environmental Protection Agency (including recommendations to conduct analyses that support and strengthen environmental justice programs in administrative and scientific areas);

(D) the administration of grant programs relating to environmental justice assistance; and

(E) education, training, and other outreach activities conducted by the Environmental Protection Agency relating to environmental justice.

(e) DESIGNATED FEDERAL OFFICER.—The Director of the Office of Environmental Justice of the Environmental Protection Agency is designated as the Federal officer required under section 10(e) of the Federal Advisory Committee Act (5 U.S.C. App.) for the Advisory Council.

(f) MEETINGS.—

(1) IN GENERAL.—The Advisory Council shall meet not less frequently than 3 times each calendar year.

(2) OPEN TO PUBLIC.—Each meeting of the Advisory Council shall be held open to the public.

(3) DUTIES OF DESIGNATED FEDERAL OFFICER.—The designated Federal officer described in subsection (e) (or a designee) shall—

(A) be present at each meeting of the Advisory Council;

(B) ensure that each meeting is conducted in accordance with an agenda approved in advance by the designated Federal officer;

(C) provide an opportunity for interested persons—

(i) to file comments before or after each meeting of the Advisory Council; or

(ii) to make statements at such a meeting, to the extent that time permits;

(D) ensure that a representative of the Working Group and a high-level representative from each regional office of the Environmental Protection Agency are invited to, and encouraged to attend, each meeting of the Advisory Council; and

(E) provide technical assistance to States seeking to establish State-level environmental justice advisory councils or implement other environmental justice policies or programs.

(g) RESPONSES FROM ADMINISTRATOR.—

(1) PUBLIC COMMENT INQUIRIES.—The Administrator shall provide a written response to each inquiry submitted to the Administrator by a member of the public before or after each meeting of the Advisory Council by not later than 120 days after the date of submission.

(2) RECOMMENDATIONS FROM ADVISORY COUNCIL.—The Administrator shall provide a written response to each recommendation submitted to the Administrator by the Advisory Council by not later than 120 days after the date of submission.

(h) TRAVEL EXPENSES.—A member of the Advisory Council may be allowed travel expenses, including per diem in lieu of subsistence, at such rate as the Administrator determines to be appropriate while away from the home or regular place of business of the member in the performance of the duties of the Advisory Council.

(i) DURATION.—The Advisory Council shall remain in existence unless otherwise provided by law.

SEC. 11010. ENVIRONMENTAL JUSTICE GRANT PROGRAMS.

(a) IN GENERAL.—The Administrator shall continue to carry out the Environmental Justice Small Grants Program and the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, as those programs are in existence on the date of enactment of this Act.

(b) CARE GRANTS.—The Administrator shall continue to carry out the Community Action for a Renewed Environment grant programs I and II, as in existence on January 1, 2012.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the programs described in subsections (a)

and (b) $10,000,000 for each of fiscal years 2021 through 2030.

SEC. 11011. ENVIRONMENTAL JUSTICE COMMUNITY SOLID WASTE DISPOSAL TECHNICAL ASSISTANCE GRANTS.

(a) IN GENERAL.—The Administrator may award grants to eligible entities to enable such entities to participate in decisions impacting the health and safety of their communities relating to the permitting or permit renewal of a solid waste disposal facility or hazardous waste facility.

(b) TIMING.—

(1) GUIDANCE.—Not later than 12 months after the date of enactment of this section, the Administrator shall publish guidance describing the process for eligible entities to apply for a grant under this section, including the required content and form of applications, the manner in which applications must be submitted, and any applicable deadlines.

(2) FIRST GRANT.—Not later than 180 days after the issuance of guidance under paragraph (1), the Administrator shall award the first grant under this section.

(c) ELIGIBLE ENTITY.—To be eligible for a grant under this section, an applicant shall be a group of individuals who reside in a community that—

(1) is a population of color, a community of color, a Tribal and indigenous community, or a low-income community; and

(2) is in close proximity to a facility described in subsection (a) for which a decision relating to a permit or permit renewal for such facility is required.

(d) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant to participate in decisions impacting the health and safety of the community involved that are related to the permitting or permit renewal of a solid waste disposal facility or hazardous waste facility, including—

(1) interpreting information with regard to—

(A) cumulative impacts studies;

(B) health impacts studies;

(C) relevant agency decisions; and

(D) operation and maintenance of necessary monitors; and

(2) performing environmental monitoring.

(e) LIMITATIONS ON AMOUNT; RENEWAL.—

(1) AMOUNT.—

(A) IN GENERAL.—The amount of a grant under this section (excluding any renewals of the grant) may not exceed $50,000 for any grant recipient.

(B) EXCEPTION.—The Administrator may waive the limitation in subparagraph (A) with respect to an applicant in any case where the Administrator determines that such waiver is necessary for the community involved to obtain the necessary technical assistance.

(2) RENEWAL.—Grants may be renewed for each step in the process for the permitting or permit renewal of a solid waste disposal facility or hazardous waste facility.

SEC. 11012. ENVIRONMENTAL JUSTICE COMMUNITY, STATE, AND TRIBAL GRANT PROGRAMS.

(a) ENVIRONMENTAL JUSTICE COMMUNITY GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall establish a program under which the Administrator shall provide grants to eligible entities to assist the eligible entities in—

(A) building capacity to address issues relating to environmental justice; and

(B) carrying out any activity described in paragraph (4).

(2) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1), an eligible entity shall be a nonprofit, community-based organization that conducts activities, including providing medical and preventive health services, to reduce the disproportionate health impacts of environmental pollution in the environmental justice community at which the eligible entity proposes to conduct an activity that is the subject of the application described in paragraph (3).

(3) APPLICATION.—To be eligible to receive a grant under paragraph (1), an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(A) an outline describing the means by which the project proposed by the eligible entity will—

(i) with respect to environmental and public health issues at the local level, increase the understanding of the environmental justice community at which the eligible entity will conduct the project;

(ii) improve the ability of the environmental justice community to address each issue described in clause (i);

(iii) facilitate collaboration and cooperation among various stakeholders (including members of the environmental justice community); and

(iv) support the ability of the environmental justice community to proactively plan and implement just sustainable community development and revitalization initiatives, including countering displacement and gentrification;

(B) a proposed budget for each activity of the project that is the subject of the application;

(C) a list of proposed outcomes with respect to the proposed project;

(D) a description of the ways by which the eligible entity may leverage the funds of the eligible entity, or the funds made available through a grant under this subsection, to develop a project that is capable of being sustained beyond the period of the grant; and

(E) a description of the ways by which the eligible entity is linked to, and representative of, the environmental justice community at which the eligible entity will conduct the project.

(4) USE OF FUNDS.—An eligible entity may only use a grant under this subsection to carry out culturally and linguistically appropriate projects and activities that are driven by the needs, opportunities, and priorities of the environmental justice community at which the eligible entity proposes to conduct the project or activity to address environmental justice concerns and improve the health or environment of the environmental justice community, including activities—

(A) to create or develop collaborative partnerships;

(B) to educate and provide outreach services to the environmental justice community;

(C) to identify and implement projects to address environmental or public health concerns; or

(D) to develop a comprehensive understanding of environmental or public health issues.

(5) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing the ways by which the grant program under this subsection has helped community-based nonprofit organizations address issues relating to environmental justice.

(B) PUBLIC AVAILABILITY.—The Administrator shall make each report required under subparagraph (A) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2021 through 2025.

(b) STATE GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall establish a program under which the Administrator shall provide grants to States to enable the States—

(A) to establish culturally and linguistically appropriate protocols, activities, and mechanisms for addressing issues relating to environmental justice; and

(B) to carry out culturally and linguistically appropriate activities to reduce or eliminate disproportionately adverse human health or environmental effects on environmental justice communities in the State, including reducing economic vulnerabilities that result in the environmental justice communities being disproportionately affected.

(2) ELIGIBILITY.—

(A) APPLICATION.—To be eligible to receive a grant under paragraph (1), a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(i) a plan that contains a description of the means by which the funds provided through a grant under paragraph (1) will be used to address issues relating to environmental justice at the State level; and

(ii) assurances that the funds provided through a grant under paragraph (1) will be used only to supplement the amount of funds that the State allocates for initiatives relating to environmental justice.

(B) ABILITY TO CONTINUE PROGRAM.—To be eligible to receive a grant under paragraph (1), a State shall demonstrate to the Administrator that the State has the ability to continue each program that is the subject of funds provided through a grant under paragraph (1) after receipt of the funds.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing—

(i) the implementation of the grant program established under paragraph (1);

(ii) the impact of the grant program on improving the ability of each participating State to address environmental justice issues; and

(iii) the activities carried out by each State to reduce or eliminate disproportionately adverse human health or environmental effects on environmental justice communities in the State.

(B) PUBLIC AVAILABILITY.—The Administrator shall make each report required under subparagraph (A) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $15,000,000 for each of fiscal years 2021 through 2025.

(c) TRIBAL GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall establish a program under which the Administrator shall provide grants to Tribal Governments to enable the Indian Tribes—

(A) to establish culturally and linguistically appropriate protocols, activities, and mechanisms for addressing issues relating to environmental justice; and

(B) to carry out culturally and linguistically appropriate activities to reduce or eliminate disproportionately adverse human health or environmental effects on environmental justice communities in Tribal and indigenous communities, including reducing economic vulnerabilities that result in the Tribal and indigenous communities being disproportionately affected.

(2) ELIGIBILITY.—

(A) APPLICATION.—To be eligible to receive a grant under paragraph (1), a Tribal Government shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(i) a plan that contains a description of the means by which the funds provided through a grant under paragraph (1) will be used to address issues relating to environmental justice in Tribal and indigenous communities; and

(ii) assurances that the funds provided through a grant under paragraph (1) will be used only to supplement the amount of funds that the Tribal Government allocates for initiatives relating to environmental justice.

(B) ABILITY TO CONTINUE PROGRAM.—To be eligible to receive a grant under paragraph (1), a Tribal Government shall demonstrate to the Administrator that the Tribal Government has the ability to continue each program that is the subject of funds provided through a grant under paragraph (1) after receipt of the funds.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing—

(i) the implementation of the grant program established under paragraph (1);

(ii) the impact of the grant program on improving the ability of each participating Indian Tribe to address environmental justice issues; and

(iii) the activities carried out by each Tribal Government to reduce or eliminate disproportionately adverse human health or environmental effects on applicable environmental justice communities in Tribal and indigenous communities.

(B) PUBLIC AVAILABILITY.—The Administrator shall make each report required under subparagraph (A) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2021 through 2025.

(d) COMMUNITY-BASED PARTICIPATORY RESEARCH GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator, in consultation with the Director, shall establish a program under which the Administrator shall provide not more than 25 multiyear grants to eligible entities to carry out community-based participatory research—

(A) to address issues relating to environmental justice;

(B) to improve the environment of residents and workers in environmental justice communities; and

(C) to improve the health outcomes of residents and workers in environmental justice communities.

(2) ELIGIBILITY.—To be eligible to receive a multiyear grant under paragraph (1), an eligible entity shall be a partnership comprised of—

(A) an accredited institution of higher education; and

(B) a community-based organization.

(3) APPLICATION.—To be eligible to receive a multiyear grant under paragraph (1), an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(A) a detailed description of the partnership of the eligible entity that, as determined by the Administrator, demonstrates the participation of members of the community at which the eligible entity proposes to conduct the research; and

(B) a description of—

(i) the project proposed by the eligible entity; and

(ii) the ways by which the project will—

(I) address issues relating to environmental justice;

(II) assist in the improvement of health outcomes of residents and workers in environmental justice communities; and

(III) assist in the improvement of the environment of residents and workers in environmental justice communities.

(4) PUBLIC AVAILABILITY.—The Administrator shall make the results of the grants available provided under this subsection to the public, including by posting on the website of the Environmental Protection Agency a copy of the grant awards and an annual report at the beginning of each fiscal year describing the research findings associated with each grant provided under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2021 through 2025.

SEC. 11013. PROTECTIONS FOR ENVIRONMENTAL JUSTICE COMMUNITIES AGAINST HARMFUL FEDERAL ACTIONS.

(a) PURPOSE; DEFINITIONS.—

(1) PURPOSE.—The purpose of this section is to establish additional protections relating to Federal actions affecting environmental justice communities in recognition of the disproportionate burden of adverse human health or environmental effects faced by such communities.

(2) DEFINITIONS.—In this section:

(A) FEDERAL ACTION.—The term ''Federal action'' means a proposed action that requires the preparation of an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed statement of environmental impacts of a proposed action required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) PREPARATION OF A COMMUNITY IMPACT REPORT.—A Federal agency proposing to take a Federal action that has the potential to cause negative environmental or public health impacts on an environmental justice community shall prepare a community impact report assessing the potential impacts of the proposed action.

(c) CONTENTS.—The community impact report described in subsection (b) shall—

(1) assess the degree to which a proposed Federal action affecting an environmental justice community will cause multiple or cumulative exposure to human health and environmental hazards that influence, exacerbate or contribute to adverse health outcomes;

(2) assess relevant public health data and industry data concerning the potential for multiple or cumulative exposure to human health or environmental hazards in the area of the environmental justice community and historical patterns of exposure to environmental hazards and agencies shall assess these multiple, or cumulative effects, even if certain effects are not within the control or subject to the discretion of the Federal agency proposing the Federal action;

(3) assess the impact of such proposed Federal action on such environmental justice community's ability to access public parks, outdoor spaces, and public recreation opportunities;

(4) evaluate alternatives to or mitigation measures for the proposed Federal action that will—

(A) eliminate or reduce any identified exposure to human health and environmental hazards described in paragraph (1) to a level that is reasonably expected to avoid human health impacts in environmental justice communities; and

(B) not negatively impact an environmental justice community's ability to access public parks, outdoor spaces, and public recreation opportunities; and

(5) analyze any alternative developed by members of an affected environmental justice community that meets the purpose and need of the proposed action.

(d) DELEGATION.—Federal agencies shall not delegate responsibility for the preparation of a community impact report prepared under this section to any other entity.

(e) NATIONAL ENVIRONMENTAL POLICY ACT REQUIREMENTS FOR ENVIRONMENTAL JUSTICE COMMUNITIES.—When carrying out the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a proposed Federal action that may affect an environmental justice community, a Federal agency shall—

(1) consider all potential direct, indirect, and cumulative impacts caused by the action, alternatives to such action, and mitigation measures on the environmental justice community required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) require any public comment period carried out during the scoping phase of the environmental review process to be no less than 90 days;

(3) provide early and meaningful community involvement opportunities by—

(A) holding multiple hearings in such community regarding the proposed Federal action in each prominent language within the environmental justice community; and

(B) providing notice of any step or action in the National Environmental Policy Act process that involves public participation to any representative entities or organizations present in the environmental justice community including—

(i) local religious organizations;

(ii) civic associations and organizations;

(iii) business associations of people of color;

(iv) environmental and environmental justice organizations, including community-based grassroots organizations led by people of color;

(v) homeowners', tenants', and neighborhood watch groups;

(vi) local and Tribal Governments;

(vii) rural cooperatives;

(viii) business and trade organizations;

(ix) community and social service organizations;

(x) universities, colleges, and vocational schools;

(xi) labor and other worker organizations;

(xii) civil rights organizations;

(xiii) senior citizens' groups; and

(xiv) public health agencies and clinics; and

(4) provide translations of publicly available documents made available pursuant to the National Environmental Policy Act in any language spoken by more than 5 percent of the population residing within the environmental justice community.

(f) COMMUNICATION METHODS AND REQUIREMENTS.—Any notice provided under subsection (e)(3)(B) shall be provided—

(1) through communication methods that are accessible in the environmental justice community. Such methods may include electronic media, newspapers, radio, direct mailings, canvassing, and other outreach methods particularly targeted at communities of color, low-income communities, and Tribal and indigenous communities; and

(2) at least 30 days before any hearing in such community or the start of any public comment period.

(g) REQUIREMENTS FOR ACTIONS REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT.—For any proposed Federal action affecting an environmental justice community requiring the preparation of an environmental impact statement, the Federal agency shall provide the following information when giving notice of the proposed action:

(1) A description of the proposed action.

(2) An outline of the anticipated schedule for completing the process under the National Environmental Policy Act, with a description of key milestones.

(3) An initial list of alternatives and potential impacts.

(4) An initial list of other existing or proposed sources of multiple or cumulative exposure to environmental hazards that contribute to higher rates of serious illnesses within the environmental justice community.

(5) An agency point of contact.

(6) Timely notice of locations where comments will be received or public meetings held.

(7) Any telephone number or locations where further information can be obtained.

(h) NATIONAL ENVIRONMENTAL POLICY ACT REQUIREMENTS FOR INDIAN TRIBES.—When carrying out the requirements of the National Environmental Policy Act for a proposed Federal action that may affect an Indian Tribe, a Federal agency shall—

(1) seek Tribal representation in the process in a manner that is consistent with the government-to-government relationship between the United States and Tribal Governments, the Federal Government's trust responsibility to federally recognized Tribes, and any treaty rights;

(2) ensure that an Indian Tribe is invited to hold the status of a cooperating agency throughout the National Environmental Policy Act process for any proposed action that could impact an Indian Tribe including actions that could impact off reservation lands and sacred sites; and

(3) invite an Indian Tribe to hold the status of a cooperating agency in accordance with paragraph (2) no later than the commencement of the scoping process for a proposed action requiring the preparation of an environmental impact statement.

(i) AGENCY DETERMINATIONS.—Federal agency determinations about the analysis of a community impact report described in this section shall be subject to judicial review to the same extent as any other analysis performed under the National Environmental Policy Act.

(j) EFFECTIVE DATE.—This section shall take effect one year after the date of enactment of this Act.

(k) SAVINGS CLAUSE.—Nothing in this section diminishes—

(1) any right granted through the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the public; or

(2) the requirements under that Act to consider direct, indirect, and cumulative impacts.

SEC. 11014. PROHIBITED DISCRIMINATION.

Section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d) is amended—

(1) by striking ''No'' and inserting ''(a) No''; and

(2) by adding at the end the following:

''(b)(1)(A) Discrimination (including exclusion from participation and denial of benefits) based on disparate impact is established under this title if—

''(i) an entity subject to this title (referred to in this title as a 'covered entity') has a program, policy, practice, or activity that causes a disparate impact on the basis of race, color, or national origin and the covered entity fails to demonstrate that the challenged program, policy, practice, or activity is related to and necessary to achieve the nondiscriminatory goal of the program, policy, practice, or activity alleged to have been operated in a discriminatory manner; or

''(ii) a less discriminatory alternative program, policy, practice, or activity exists, and the covered entity refuses to adopt such alternative program, policy, practice, or activity.

''(B) With respect to demonstrating that a particular program, policy, practice, or activity does not cause a disparate impact, the covered entity shall demonstrate that each particular challenged program, policy, practice, or activity does not cause a disparate impact, except that if the covered entity demonstrates to the courts that the elements of the covered entity's decision-making process are not capable of separation for analysis, the decision-making process may be analyzed as 1 program, policy, practice, or activity.

''(2) A demonstration that a program, policy, practice, or activity is necessary to achieve the goals of a program, policy, practice, or activity may not be used as a defense against a claim of intentional discrimination under this title.

''(c) No person in the United States shall be subjected to discrimination, including retaliation or intimidation, because such person opposed any program, policy, practice, or activity prohibited by this title, or because such person made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.''.

SEC. 11015. RIGHT OF ACTION.

(a) IN GENERAL.—Section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–1) is amended—

(1) by inserting ''(a)'' before ''Each Federal department and agency which is empowered''; and

(2) by adding at the end the following:

''(b) Any person aggrieved by the failure to comply with this title, including any regulation promulgated pursuant to this title, may file suit in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy and without regard to the citizenship of the parties.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—This section, including the amendments made by this section, takes effect on the date of enactment of this Act.

(2) APPLICATION.—This section, including the amendments made by this section, applies to all actions or proceedings pending on or after the date of enactment of this Act.

SEC. 11016. RIGHTS OF RECOVERY.

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) is amended by inserting after section 602 the following:

''SEC. 602A. ACTIONS BROUGHT BY AGGRIEVED PERSONS.

''(a) CLAIMS BASED ON PROOF OF INTENTIONAL DISCRIMINATION.—In an action brought by an aggrieved person under this title against a covered entity who has engaged in unlawful intentional discrimination (not a practice that is unlawful because of its disparate impact) prohibited under this title (including its implementing regulations), the aggrieved person may recover equitable and legal relief (including compensatory and punitive damages), attorney's fees (including expert fees), and costs of the action, except that punitive damages are not available against a government, government agency, or political subdivision.

''(b) CLAIMS BASED ON THE DISPARATE IMPACT STANDARD OF PROOF.—In an action brought by an aggrieved person under this title against a covered entity who has engaged in unlawful discrimination based on disparate impact prohibited under this title (including implementing regulations), the aggrieved person may recover attorney's fees (including expert fees), and costs of the action.''.

SEC. 11017. PUBLIC HEALTH RISKS ASSOCIATED WITH CUMULATIVE ENVIRONMENTAL STRESSORS.

(a) PROPOSED PROTOCOL.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with the Advisory Council, shall publish a proposal for a protocol for assessing and addressing the cumulative public health risks associated with multiple environmental stressors. The Administrator shall allow 90 days for public comment on such proposal. The environmental stressors addressed under such proposal shall include—

(1) impacts associated with global climate change, including extreme heat, extremes in temperature change, drought, wildfires, sea level rise, flooding, storms, water shortage, food shortage, ecosystem disruption, and the spread of infectious disease;

(2) exposure to pollutants, emissions, discharges, waste, chemicals, or other materials subject to regulation under the Clean Air Act, the Federal Water Pollution Control Act, the Safe Drinking Water Act, the Toxic Substances Control Act, the Solid Waste Disposal Act, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the Emergency Planning and Community Right-to-Know Act of 1986, and other laws administered by the Administrator; and

(3) other environmental stressors determined by the Administrator to impact public health.

(b) FINAL PROTOCOL.—Not later than 1 year after the enactment of this section, the Administrator shall publish the final protocol for assessing and addressing the cumulative public health risks associated with multiple environmental stressors.

(c) IMPLEMENTATION.—Not later than 3 years after the enactment of this section, the Administrator shall implement the protocol described under subsection (b).

TITLE XII—OTHER MATTERS

Subtitle A—Blue Collar to Green Collar Jobs Development

PART 1—OFFICE OF ECONOMIC IMPACT, DIVERSITY, AND EMPLOYMENT

SEC. 12101. NAME OF OFFICE.

(a) IN GENERAL.—Section 211 of the Department of Energy Organization Act (42 U.S.C. 7141) is amended—

(1) in the section heading, by striking ''MINORITY ECONOMIC IMPACT'' and inserting ''ECONOMIC IMPACT, DIVERSITY, AND EMPLOYMENT''; and

(2) in subsection (a), by striking ''Office of Minority Economic Impact'' and inserting ''Office of Economic Impact, Diversity, and Employment''.

(b) CONFORMING AMENDMENT.—The table of contents for the Department of Energy Organization Act is amended by amending the item relating to section 211 to read as follows:

''Sec. 211. Office of Economic Impact, Diversity, and Employment.''.

SEC. 12102. ENERGY WORKFORCE DEVELOPMENT PROGRAMS.

Section 211 of the Department of Energy Organization Act (42 U.S.C. 7141) is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

''(f) The Secretary, acting through the Director, shall support the establishment and execution of the programs described in sections 12111 and 12112 of the Clean Economy Jobs and Innovation Act.''.

SEC. 12103. AUTHORIZATION.

Subsection (h) of section 211 of the Department of Energy Organization Act (42 U.S.C. 7141), as redesignated by section 12102 of this Act, is amended by striking ''not to exceed $3,000,000 for fiscal year 1979, not to exceed $5,000,000 for fiscal year 1980, and not to exceed $6,000,000 for fiscal year 1981. Of the amounts so appropriated each fiscal year, not less than 50 percent shall be available for purposes of financial assistance under subsection (e).'' and inserting ''$100,000,000 for each of fiscal years 2021 through 2025.''.

PART 2—ENERGY WORKFORCE DEVELOPMENT

SECTION 12111. ENERGY WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of Labor and the Secretary of Energy, acting through the Director of the Office of Economic Impact, Diversity, and Employment, shall jointly establish and carry out a comprehensive, nationwide program to improve education and training for jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries in order to the increase number of skilled workers trained to work in such energy-related industries, including by—

(1) encouraging underrepresented groups, including religious and ethnic minorities, women, veterans, individuals with disabilities, unemployed energy workers, and socioeconomically disadvantaged individuals to enter into the science, technology, engineering, and mathematics (in this section referred to as ''STEM'') fields;

(2) encouraging the Nation's educational institutions to equip students with the skills, mentorships, training, and technical expertise necessary to fill the employment opportunities vital to managing and operating the Nation's energy-related industries;

(3) providing students and other candidates for employment with the necessary skills and certifications for skilled jobs in such energy-related industries; and

(4) strengthening and more fully engaging Department of Energy programs and laboratories in carrying out the Department's Minorities in Energy Initiative.

(b) DIRECT ASSISTANCE.—

(1) IN GENERAL.—In carrying out the program established under subsection (a), the Secretaries may provide financial assistance awards, technical assistance, and other assistance the Secretaries determine appropriate, to educational institutions and training programs and providers, including those serving unemployed and underemployed energy workers.

(2) DISTRIBUTION.—The Secretaries shall distribute assistance described in paragraph (1) in a manner proportional to the needs of energy-related industries and demand for jobs in energy-related industries, consistent with information developed under subsection (e), and to the extent practicable, ensure a geographically diverse distribution, including a geographically diverse distribution among regions of the country and among urban, suburban, and rural areas.

(c) PRIORITY.—In carrying out the program established under subsection (a) the Secretaries shall prioritize the education and training of individuals from underrepresented populations for jobs in energy-related industries.

(d) COLLABORATION AND OUTREACH.—In carrying out the program established under subsection (a), the Secretaries shall—

(1) collaborate with—

(A) to the maximum extent possible, State or local workforce development boards and State workforce agencies, to maximize program efficiency;

(B) educational institutions and training programs and providers; and

(C) employers and labor organizations in energy-related industries providing opportunities to participate in internships, fellowships, traineeships, and apprenticeships to students, including students of minority-serving institutions and unemployed or underemployed energy workers, and other candidates, such as underrepresented populations; and

(2) conduct outreach activities to—

(A) encourage individuals from underrepresented populations and unemployed or underemployed energy workers to enter into the STEM fields; and

(B) encourage and foster collaboration, mentorships, and partnerships among energy-related industries, and training programs and providers, that provide effective training programs for jobs in energy-related industries and educational institutions that seek to establish these types of programs in order to share best practices and approaches that best suit local, State, and national needs.

(e) CLEARINGHOUSE.—

(1) ESTABLISHMENT.—In carrying out the program established under subsection (a), the Secretary of Labor, in collaboration with Secretary of Energy, the Secretary of Education, the Secretary of Commerce, and the Director of the Bureau of the Census, and energy-related industries, shall establish a clearinghouse on a publicly accessible website to—

(A) develop, maintain, and update information and other resources, by State and by region, on—

(i) training programs for jobs in energy-related industries; and

(ii) the current and future workforce needs of energy-related industries, and job opportunities in such energy-related industries, including identification of jobs in energy-related industries for which there is the greatest demand; and

(B) act as a resource for educational institutions and training programs and providers that would like to develop and implement training programs for such jobs.

(2) REPORT.—The Secretaries shall annually publish a report on the information and other resources developed, maintained, and updated on the clearinghouse established under paragraph (1), including—

(A) a report providing comprehensive and detailed description of the workforce needs of such energy-related industries, and job opportunities in such energy-related industries, by State and by region; and

(B) publish an annual report on job creation in the energy-related industries described in subsection (f)(1).

(f) GUIDELINES TO DEVELOP SKILLS FOR AN ENERGY INDUSTRY WORKFORCE.—

(1) IN GENERAL.—In carrying out the program established under subsection (a), the Secretaries, in collaboration with the Secretary of Education, the Secretary of Commerce, and the National Science Foundation, shall develop voluntary guidelines or best practices for educational institutions to help provide students with the skills necessary for jobs in energy-related industries, including jobs in—

(A) the energy efficiency industry, including jobs in energy efficiency (including architecture, design, and construction of new energy efficient buildings), conservation, weatherization, retrofitting, inspecting, auditing, and software development;

(B) the renewable energy industry, including jobs in the development, engineering, manufacturing, and production of energy from renewable energy sources (such as solar, hydropower, wind, and geothermal energy);

(C) the community energy resiliency industry, including jobs in the installation of rooftop solar, in battery storage, and in microgrid technologies;

(D) the fuel cell and hydrogen energy industry;

(E) the advanced automotive technology industry, including jobs relating to electric vehicle batteries, connectivity and automation, and advanced combustion engines;

(F) the manufacturing industry, including jobs as operations technicians, in operations and design in additive manufacturing, 3–D printing, and advanced composites and advanced aluminum and other metal alloys, and in industrial energy efficiency management systems, including power electronics, and other innovative technologies;

(G) the chemical manufacturing industry, including jobs in construction (such as welders, pipefitters, and tool and die makers), as instrument and electrical technicians, machinists, chemical process operators, engineers, quality and safety professionals, and reliability engineers;

(H) the utility industry, including jobs in smart grid technology, cybersecurity management, and the generation, transmission, and distribution of electricity and natural gas, such as electricians and utility dispatchers, technicians, operators, lineworkers, engineers, scientists, and information technology specialists;

(I) the alternative fuels industry, including jobs in biofuel and bioproducts development and production;

(J) the pipeline industry, including jobs in pipeline construction and maintenance and jobs as engineers and technical advisors;

(K) the nuclear energy industry, including jobs as scientists, engineers, technicians, mathematicians, and security personnel;

(L) the oil and gas industry, including jobs as scientists, engineers, technicians, mathematicians, petrochemical engineers, and geologists; and

(M) the coal industry, including jobs as coal miners, engineers, developers and manufacturers of state-of-the-art coal facilities, technology vendors, coal transportation workers and operators, and mining equipment vendors.

(2) ENERGY EFFICIENCY AND CONSERVATION INITIATIVES.—The guidelines or best practices developed under paragraph (1) shall include grade-specific guidelines for elementary schools and secondary schools for teaching energy efficiency technology, architecture, design, and construction of new energy-efficient buildings and building energy retrofits, manufacturing efficiency technology, community energy resiliency, and conservation initiatives.

(3) STEM EDUCATION.—The guidelines or best practices developed under paragraph (1) shall promote STEM education and energy related programs of study in educational institutions as it relates to job opportunities in energy-related industries listed under such paragraph.

(g) OUTREACH TO MINORITY SERVING INSTITUTIONS.—In carrying out the program established under subsection (a), the Secretaries shall—

(1) give special consideration to increasing outreach to minority-serving institutions;

(2) make resources available to minority-serving institutions with the objective of increasing the number of skilled minorities and women trained for jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries;

(3) encourage energy-related industries to improve the opportunities for students of minority-serving institutions to participate in industry internships, apprenticeships, and cooperative work-study programs; and

(4) partner with the Department of Energy laboratories to increase underrepresented groups' participation in internships, fellowships, traineeships, and employment at all Department of Energy laboratories.

(h) OUTREACH TO DISPLACED, UNEMPLOYED AND UNDEREMPLOYED ENERGYWORKERS.—In carrying out the program established under subsection (a), the Secretaries shall—

(1) give special consideration to increasing outreach to employers and job trainers preparing displaced, unemployed, and underemployed energy workers for emerging jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries;

(2) make resources available to institutions serving displaced and unemployed energy workers with the objective of increasing the number of individuals trained for jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries; and

(3) encourage energy-related industries to improve opportunities for displaced and unemployed energy workers to participate in industry internships, apprenticeships, and work-study programs.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2021 through 2025.

SEC. 12112. ENERGY WORKFORCE GRANT PROGRAM.

(a) PROGRAM.—

(1) ESTABLISHMENT.—Subject to the availability of appropriations for such purpose, the Secretary of Labor and the Secretary of Energy, acting through the Director of the Office of Economic Impact, Diversity, and Employment, shall jointly establish and carry out a program to provide grants to eligible entities to pay the eligible wages of, or eligible stipends for, individuals during the time period that such individuals are receiving training to work in the renewable energy sector, energy efficiency sector, or grid modernization sector.

(2) GUIDELINES.—Not later than 60 days after the date of enactment of this Act, the Secretaries, in consultation with stakeholders, contractors, and organizations that work to advance existing residential energy efficiency,

shall establish guidelines to identify training that is eligible for purposes of the program established pursuant to paragraph (1).

(b) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a grant under the program established under subsection (a), an eligible entity shall be directly involved with energy efficiency or renewable energy technology and provide services related to—

(A) renewable electric energy generation, including solar, wind, geothermal, hydropower, and other renewable electric energy generation technologies;

(B) energy efficiency, including energy-efficient lighting, heating, ventilation, and air conditioning, air source heat pumps, advanced building materials, insulation and air sealing, and other high-efficiency products and services, including auditing and inspection, architecture, design, and construction of new energy efficient buildings and building energy retrofits;

(C) grid modernization or energy storage, including smart grid, microgrid and other distributed energy solutions, demand response management, and home energy management technology; or

(D) fuel cell and hybrid fuel cell generation.

(2) DEFINITIONS.—In this subsection, the following terms apply:

(A) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(i) an employer in an industry described in paragraph (1); or

(ii) a labor organization, a joint-labor management organization, a State or local workforce board, or a training program or provider that provides training to individuals to work for an employer described in clause (i), or works on behalf of any such employers.

(B) ELIGIBLE STIPEND.—The term ''eligible stipend'' means a stipend that meets the criteria identified pursuant to the guidelines established under subsection (a)(2).

(C) ELIGIBLE WAGES.—The term ''eligible wages'' means wages that meet the criteria identified pursuant to the guidelines established under subsection (a)(2).

(c) USE OF GRANTS.—

(1) ELIGIBLE WAGES.—An eligible entity with—

(A) 20 or fewer employees may use a grant provided under the program established under subsection (a) to pay up to—

(i) 45 percent of an employee's eligible wages for the duration of the applicable training for such employee, if the training is provided by the eligible entity; and

(ii) 90 percent of an employee's eligible wages for the duration of the applicable training for such employee, if the training is provided by an entity other than the eligible entity;

(B) 21 to 99 employees may use a grant provided under the program established under subsection (a) to pay up to—

(i) 37.5 percent of an employee's eligible wages for the duration of the applicable training for such employee, if the training is provided by the eligible entity; and

(ii) 75 percent of an employee's eligible wages for the duration of the applicable training for such employee, if the training is provided by an entity other than the eligible entity; and

(C) 100 employees or more may use a grant provided under the program established under subsection (a) to pay up to—

(i) 25 percent of an employee's eligible wages for the duration of the applicable training for such employee, if the training is provided by the eligible entity; and

(ii) 50 percent of an employee's eligible wages for the duration of the applicable training for such employee, if the training is provided by an entity other than the eligible entity.

(2) STIPEND.—An eligible entity may use a grant provided under the program established under subsection (a) to pay up to 100 percent of an eligible stipend for an individual for the duration of the applicable training for such individual.

(d) PRIORITY FOR TARGETED COMMUNITIES.—In providing grants under the program established under subsection (a), the Secretary shall give priority to an eligible entity that—

(1) recruits or trains individuals who are—

(A) from the community that the eligible entity serves; and

(B)(i) from underrepresented populations; or

(ii) unemployed or underemployed energy workers; and

(2) will provide individuals receiving training with the opportunity to obtain or retain employment at an eligible entities.

(e) LIMIT.—An eligible entity may not receive more than $100,000 under the program established under subsection (a) per fiscal year.

(f) REPORT.—The Secretaries shall submit to Congress, annually for each year the program established under subsection (a) is carried out, a report on such program, including—

(1) an assessment of such program for the previous year, including the number of jobs filled by individuals trained pursuant to such program; and

(2) recommendations on how to improve such program.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2025.

SEC. 12113. DEFINITIONS.

In this part:

(1) CAREER AND TECHNICAL EDUCATION.—The term ''career and technical education'' has the meaning given such term in section 3 or the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(2) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) TRAINING PROGRAMS AND PROVIDERS.—The term ''training programs and providers'' means State or local workforce development boards, community-based organizations, qualified youth or conservation corps, Job Corps authorized under subtitle C of title I the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), labor organizations, joint-labor management organizations, pre-apprenticeship programs, and apprenticeship programs.

(4) EDUCATIONAL INSTITUTION.—The term ''educational institution'' means an elementary school, secondary school, or institution of higher education, including educational institutions providing career and technical education programs and programs of study.

(5) ELEMENTARY SCHOOL AND SECONDARY SCHOOL.—The terms ''elementary school'' and ''secondary school'' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) ENERGY-RELATED INDUSTRY.—The term ''energy-related industry'' includes the energy efficiency industry, renewable energy industry, community energy resiliency industry, fuel cell and hydrogen energy industry, advanced automotive technology industry, chemical manufacturing industry, electric utility industry, gas utility industry, alternative fuels industry, pipeline industry, nuclear energy industry, oil and gas industry, and coal industry.

(7) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that such term does not include institutions described in subparagraph (A) or (C) of subsection (a)(1) of such section 102.

(8) JOBS IN ENERGY-RELATED INDUSTRIES.—The term ''jobs in energy-related industries'' includes manufacturing, engineering, construction, and retrofitting jobs in energy-related industries.

(9) LABOR ORGANIZATION.—The term ''labor organization'' has the meaning given such term in section 2 of the National Labor Relations Act (29 U.S.C. 152).

(10) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution of higher education that is of one of the following:

(A) A Hispanic-serving institution (as defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a))).

(B) A Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(C) An Alaska Native-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b))).

(D) A Native Hawaiian-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b))).

(E) A Predominantly Black Institution (as defined in section 318(b) of the Higher Education Act of 1965 (20 U.S.C. 1059e(b))).

(F) A Native American-serving nontribal institution (as defined in section 319(b) of the Higher Education Act of 1965 (20 U.S.C. 1059f(b))).

(G) An Asian American and Native American Pacific Islander-serving institution (as defined in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b))).

(H) A historically Black college or university (having the meaning given the term ''part B institution'' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)).

(11) QUALIFIED YOUTH OR CONSERVATION CORPS.—The term ''qualified youth or conservation corps'' has the meaning given such term in section 203(11) of the Public Lands Corps Act of 1993 (16 U.S.C. 1722(11)).

(12) SECRETARIES.—The term ''Secretaries'' means the Secretary of Labor and the Secretary of Energy.

(13) STATE OR LOCAL WORKFORCE DEVELOPMENT BOARD.—The term ''State or workforce development board'' or ''local workforce development board'' have the meanings given the terms ''State board'' and ''local board'', respectively, in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(14) STATE WORKFORCE AGENCY.—The term ''State workforce agency'' means the State agency with responsibility for workforce investment activities under chapters 2 and 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3121 et seq., 3131 et seq.).

(15) STEM.—The term ''STEM'' means science, technology, engineering, and mathematics.

(16) UNDERREPRESENTED POPULATIONS.—The term ''underrepresented populations'' means a group of individuals (such as a group of individuals from the same gender or race), the members of which comprise fewer than 25 percent of the individuals employed in occupations in energy-related industries.

Subtitle B—Buy American and Wage Rate Requirements

SEC. 12201. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.

(a) None of the funds made available pursuant to this Act, or provisions of law added or amended by this Act, may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(b) Subsection (a) shall not apply in any case or category of cases in which the head of the Federal department or agency involved finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head of the department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

SEC. 12202. WAGE RATE REQUIREMENTS.

Notwithstanding any other provision of law and in a manner consistent with other provisions in this Act, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this Act, or provisions of law added or amended by this Act, shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

SEC. 12203. APPRENTICESHIPS.

(a) IN GENERAL.—Any funds made available under this Act to fund an apprenticeship or pre-apprenticeship program shall only be used for, or provided to, apprenticeship and pre-apprenticeship programs as defined this section, including any funds awarded for the purposes of grants, contracts, or cooperative agreements, or the development, implementation, or administration of a program funded in whole or part by federal funds under this Act.

(b) APPRENTICESHIP DEFINED.—In this Act, the term ''apprenticeship'' means an apprenticeship—

(1) registered under the Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); and

(2) that complies with the requirements of subpart A of part 29 of title 29, Code of Federal Regulations, and part 30 of such title (as in effect on September 18, 2020).

(c) PRE-APPRENTICESHIP DEFINED.—In this Act, the term ''pre-apprenticeship'' or ''pre-apprenticeship program'' means a training model or program that—

(1) is designed to prepare participants to enter an apprenticeship program;

(2) is carried out by a sponsor that has a written agreement with 1 or more sponsors of apprenticeship programs; and

(3) includes each of the following:

(A) Training (including a curriculum for the training) aligned with industry standards related to an apprenticeship program and reviewed and approved annually by sponsors of the apprenticeship program that are parties to the written agreement, and that will prepare participants by teaching the skills and competencies needed to enter 1 or more apprenticeship programs.

(B) Hands-on training and theoretical education for participants that does not displace a paid employee.

(C) A formal agreement with a sponsor of an apprenticeship program that would enable participants who successfully complete the pre-apprenticeship program—

(i) to enter into the apprenticeship program if a place in the program is available and if the participant meets the qualifications of the apprenticeship program; and

(ii) to earn credits towards the apprenticeship program.

Subtitle C—Natural Resources

SEC. 12301. OFFSHORE WIND CAREER TRAINING GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—Beginning 180 days after the date of the enactment of this section, the Secretary may award offshore wind career training grants to eligible entities for the purpose of establishing or expanding educational or career training programs that provide individuals in such programs skills and competencies necessary for employment in the offshore wind industry.

(b) ALLOCATION OF GRANTS.—

(1) LIMITATION ON GRANT QUANTITY AND SIZE.—An eligible entity may not be awarded—

(A) more than one grant under this section for which the eligible entity is the lead applicant; or

(B) a grant under this section in excess of $2,500,000.

(2) ALLOCATION TO COMMUNITY COLLEGES.—Not less than 25 percent of the total amount awarded under this section for a fiscal year shall be awarded to eligible entities that are community colleges.

(c) PARTNERSHIPS.—An eligible entity seeking to receive a grant under this section shall establish or partner with one or more of the following:

(1) Another eligible entity (including an eligible entity that is a community college).

(2) A State or local government agency responsible for education, workforce development or offshore wind energy activities.

(3) A qualified intermediary.

(d) USE OF GRANT.—An eligible entity may use a grant awarded under this section for the following activities:

(1) Occupational skills training, including curriculum development and class-room instruction.

(2) Safety and health training.

(3) The provision of English language acquisition and employability skills.

(4) Individual referral and tuition assistance for a community college training program.

(5) Career pathway development or expansion for offshore wind industry occupations.

(6) The development or expansion of work-based learning or incumbent worker training programs aligned with career pathways in a field related to the offshore wind industry, such as paid internships, registered apprenticeships and programs articulating to an apprenticeship program, customized training, or transitional jobs.

(7) Curriculum development at the undergraduate and postgraduate levels.

(8) Development and support of offshore wind energy major, minor, or certificate programs.

(9) Such other activities, as determined by the Secretary, to meet the purposes of this section.

(e) GRANT PROPOSALS.—

(1) SUBMISSION PROCEDURE FOR GRANT PROPOSALS.—An eligible entity seeking to receive a grant under this section shall submit a grant proposal to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) CONTENT OF GRANT PROPOSALS.—A grant proposal submitted to the Secretary under this section shall include a detailed description of—

(A) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that will provide individuals in such program the skills and competencies necessary for employment in the offshore wind industry;

(B) any previous experience of the eligible entity in providing such educational or career training programs;

(C) the extent to which such project will meet the educational or career training needs;

(D) the quantitative data that demonstrates the demand for employment for such program in the geographic area served by the eligible entity, including wages and benefits for such employment;

(E) a description of the entities involved in the industry or sector partnership; and

(F) a description of the activities the eligible entity will carry out.

(f) CRITERIA FOR AWARD OF GRANTS.—

(1) IN GENERAL.—Subject to appropriations, the Secretary shall award grants under this section based on an evaluation of—

(A) the merits of the grant proposal;

(B) the available or projected employment opportunities, including the projected wages and benefits, available to individuals who complete the educational or career training program that the eligible entity proposes to develop, offer, or improve; and

(C) the availability and capacity of existing educational or career training programs in the community to meet future demand for such programs.

(2) PRIORITY.—Priority in awarding grants under this section shall be given to an eligible entity that—

(A) is—

(i) an institution of higher education that has formed a partnership with a labor organization or joint-labor management organization; or

(ii) a labor organization or joint-labor management organization that has formed a partnership with an institute of higher education;

(B) has entered into a memorandum of understanding with one or more employers in the offshore wind industry to partner on the establishment or expansion of programs funded under this Act;

(C) is located in an economically distressed area;

(D) serves a high number or high percentage of individuals who are—

(i) dislocated workers (particularly workers dislocated from the offshore oil and gas, onshore fossil fuel, nuclear energy, or fishing industries);

(ii) veterans, members of the reserve components of the Armed Forces, or former members of such reserve components;

(iii) unemployed, underemployed, or disconnected;

(iv) individuals with barriers to employment;

(v) in-school and out-of-school youth; or

(vi) formerly incarcerated, adjudicated, non-violent offenders;

(E) an eligible entity that proposes to serve a high percentage or number of low-income or minority students; or

(F) demonstration of or established plans for the eligible entity to be included on the list of eligible providers of training services described in section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d)).

(3) GEOGRAPHIC DISTRIBUTION.—The Secretary shall, to the extent practicable, award grants under this section in a manner that provides for a reasonable geographic distribution, except that the Secretary shall not be required to award grants equally among different regions of the United States.

(g) MATCHING REQUIREMENTS.—A grant awarded under this section may not be used to satisfy any non-Federal funds matching requirement under any other provision of law.

(h) GRANTEE DATA COLLECTION.—

(1) IN GENERAL.—A grantee, with respect to the educational or career training program for which the grantee received a grant under this section, shall collect and report to the Secretary on an annual basis the following:

(A) The number of participants enrolled in the educational or career training program.

(B) The number of participants that have completed the educational or career training programing the last 12 months.

(C) The services received by such participants, including a description of training, education, and supportive services.

(D) The amount spent by the grantee per participant.

(E) The percentage of job placement of participants in the offshore wind industry or related fields.

(F) The percentage of employment retention—

(i) if the eligible entity is not an institution of higher education, 1 year after completion of the educational or career training program; or

(ii) if the eligible entity is an institution of higher education, 1 year after completion of the educational or career training program or 1 year after the participant is no longer enrolled in such institution of higher education, whichever is later.

(G) The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation in or within 1 year after exit from the program.

(2) DISAGGREGATION OF DATA.—The data collected and reported under this subsection shall be disaggregated by each population specified in section 3(24) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(24)) and by race, ethnicity, sex, and age.

(3) ASSISTANCE FROM SECRETARY.—The Secretary shall assist grantees in the collection of data under this subsection by making available, where practicable, low-cost means of tracking the labor market outcomes of participants (including through coordination with the Secretary of Labor) and by providing standardized reporting forms, where appropriate. The Secretary shall provide technical assistance and oversight to assist the eligible entities in applying for and administering grants.

(j) GUIDELINES.—Not later than 90 days after the date of the enactment of this section, the Secretary shall—

(1) promulgate guidelines for the submission of grant proposals; and

(2) publish and maintain such guidelines on a public website of the Secretary.

(k) REPORTING REQUIREMENT.—Not later than 18 months after the date of the enactment of this section, and every 2 years thereafter, the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, the Committee on Education and Labor of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate on the grant program established by this section. The report shall include a description of the grantees and the activities for which grantees used a grant awarded under this section.

(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of this section $25,000,000 for each of fiscal years 2021 through 2025. The Secretary may use not more than 2 percent of the amount appropriated for each fiscal year for administrative expenses, including the expenses of providing the technical assistance and oversight activities.

(m) DEFINITIONS.—In this section:

(1) APPRENTICESHIP, APPRENTICESHIP PROGRAM.—The term ''apprenticeship'' or ''apprentice

(1) COMMUNITY COLLEGE.—The term ''community college'' has the meaning given the term ''junior or community college'' in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means an entity that is—

(A) an institution of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(B) a labor organization or a joint labor management organization.

(3) GRANTEE.—The term ''grantee'' means an eligible entity that has received a grant under this section.

(4) LEAD APPLICANT.—The term ''lead applicant'' means the eligible entity that is primarily responsible for the preparation, conduct, and administration of the project for which the grant was awarded.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, in consultation with the Secretary of Energy, the Secretary of Education, and the Secretary of Labor.

(6) CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT TERMS.—The terms ''area career and technical education school'', ''qualified intermediary'', ''Tribal educational agency'', and ''work-based learning'' have the meanings given the terms in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(7) WORKFORCE INNOVATION AND OPPORTUNITY ACT TERMS.—The terms ''career pathway'', ''dislocated worker'', ''English language acquisition'', ''in-school youth'', ''individuals with barriers to employment'', ''industry or sector partnership'', ''on-the-job training'', ''out-of-school youth'', ''recognized postsecondary credential'', ''supportive services'', have the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

SEC. 12302. DATA PRESERVATION.

Subsection (k) of the National Geological and Geophysical Data Preservation Program Act of 2005 (42 U.S.C. 15908(k)) is amended by striking ''2006 through 2010'' and inserting ''2021 through 2025''.

Subtitle D—Clean Energy and Sustainability Accelerator

SEC. 12401. CLEAN ENERGY AND SUSTAINABILITY ACCELERATOR.

Title XVI of the Energy Policy Act of 2005 (Public Law 109–58, as amended) is amended by adding at the end the following new subtitle:

''Subtitle C—Clean Energy and Sustainability Accelerator

''SEC. 1621. DEFINITIONS.

''In this subtitle:

''(1) ACCELERATOR.—The term 'Accelerator' means the Clean Energy and Sustainability Accelerator established under section 1622.

''(2) BOARD.—The term 'Board' means the Board of Directors of the Accelerator.

''(3) CHIEF EXECUTIVE OFFICER.—The term 'chief executive officer' means the chief executive officer of the Accelerator.

''(4) CLIMATE-IMPACTED COMMUNITIES.—The term 'climate-impacted communities' includes—

''(A) communities of color, which include any geographically distinct area the population of color of which is higher than the average population of color of the State in which the community is located;

''(B) communities that are already or are likely to be the first communities to feel the direct negative effects of climate change;

''(C) distressed neighborhoods, demonstrated by indicators of need, including poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration;

''(D) low-income communities, defined as any census block group in which 30 percent or more of the population are individuals with low income;

''(E) low-income households, defined as a household with annual income equal to, or less than, the greater of—

''(i) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

''(ii) 200 percent of the Federal poverty line; and

''(F) rural areas, which include any area other than—

''(i) a city or town that has a population of greater than 50,000 inhabitants; and

''(ii) any urbanized area contiguous and adjacent to a city or town described in clause (i).

''(5) CLIMATE RESILIENT INFRASTRUCTURE.—The term 'climate resilient infrastructure' means any project that builds or enhances infrastructure so that such infrastructure—

''(A) is planned, designed, and operated in a way that anticipates, prepares for, and adapts to changing climate conditions; and

''(B) can withstand, respond to, and recover rapidly from disruptions caused by these climate conditions.

''(6) ELECTRIFICATION.—The term 'electrification' means the installation, construction, or use of end-use electric technology that replaces existing fossil-fuel-based technology.

''(7) ENERGY EFFICIENCY.—The term 'energy efficiency' means any project, technology, function, or measure that results in the reduction of energy use required to achieve the same level of service or output prior to the application of such project, technology, function, or measure, or substantially reduces greenhouse gas emissions relative to emissions that would have occurred prior to the application of such project, technology, function, or measure.

''(8) FUEL SWITCHING.—The term 'fuel switching' means any project that replaces a fossil-fuel-based heating system with an electric-powered system or one powered by biomass-generated heat.

''(9) GREEN BANK.—The term 'green bank' means a dedicated public or nonprofit specialized finance entity that—

''(A) is designed to drive private capital into market gaps for low- and zero-emission goods and services;

''(B) uses finance tools to mitigate climate change;

''(C) does not take deposits;

''(D) is funded by government, public, private, or charitable contributions; and

''(E) invests or finances projects—

''(i) alone; or

''(ii) in conjunction with other investors.

''(10) QUALIFIED PROJECTS.—The term 'qualified projects' means the following kinds of technologies and activities that are eligible for financing and investment from the Clean Energy and Sustainability Accelerator, either directly or through State and local green banks funded by the Clean Energy and Sustainability Accelerator:

''(A) Renewable energy generation, including the following:

''(i) Solar.

''(ii) Wind.

''(iii) Geothermal.

''(iv) Hydropower.

''(v) Ocean and hydrokinetic.

''(vi) Fuel cell.

''(B) Building energy efficiency, fuel switching, and electrification.

''(C) Industrial decarbonization.

''(D) Grid technology such as transmission, distribution, and storage to support clean energy distribution, including smart-grid applications.

''(E) Agriculture and forestry projects that reduce net greenhouse gas emissions.

''(F) Clean transportation, including the following:

''(i) Battery electric vehicles.

''(ii) Plug-in hybrid electric vehicles.

''(iii) Hydrogen vehicles.

''(iv) Other zero-emissions fueled vehicles.

''(v) Related vehicle charging and fueling infrastructure.

''(G) Climate resilient infrastructure.

''(H) Any other key areas identified by the Board as consistent with the mandate of the Accelerator as described in section 1623.

''(11) RENEWABLE ENERGY GENERATION.—The term 'renewable energy generation' means electricity created by sources that are continually replenished by nature, such as the sun, wind, and water.

''SEC. 1622. ESTABLISHMENT.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subtitle, there shall be established a nonprofit corporation to be known as the 'Clean Energy and Sustainability Accelerator'.

''(b) LIMITATION.—The Accelerator shall not be an agency or instrumentality of the Federal Government.

''(c) FULL FAITH AND CREDIT.—The full faith and credit of the United States shall not extend to the Accelerator.

''(d) NONPROFIT STATUS.—The Accelerator shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

"SEC. 1623. MANDATE.

''The Accelerator shall make the United States a world leader in combating the causes and effects of climate change through the rapid deployment of mature technologies and scaling of new technologies by maximizing the reduction of emissions in the United States for every dollar deployed by the Accelerator, including by—

''(1) providing financing support for investments in the United States in low- and zero-emissions technologies and processes in order to rapidly accelerate market penetration;

''(2) catalyzing and mobilizing private capital through Federal investment and supporting a more robust marketplace for clean technologies, while avoiding competition with private investment;

''(3) enabling climate-impacted communities to benefit from and afford projects and investments that reduce emissions;

''(4) providing support for workers and communities impacted by the transition to a low-carbon economy;

''(5) supporting the creation of green banks within the United States where green banks do not exist; and

''(6) causing the rapid transition to a clean energy economy without raising energy costs to end users and seeking to lower costs where possible.

"SEC. 1624. FINANCE AND INVESTMENT DIVISION.

''(a) IN GENERAL.—There shall be within the Accelerator a finance and investment division, which shall be responsible for—

''(1) the Accelerator's greenhouse gas emissions mitigation efforts by directly financing qualifying projects or doing so indirectly by providing capital to State and local green banks;

''(2) originating, evaluating, underwriting, and closing the Accelerator's financing and investment transactions in qualified projects;

''(3) partnering with private capital providers and capital markets to attract coinvestment from private banks, investors, and others in order to drive new investment into underpenetrated markets, to increase the efficiency of private capital markets with respect to investing in greenhouse gas reduction projects, and to increase total investment caused by the Accelerator;

''(4) managing the Accelerator's portfolio of assets to ensure performance and monitor risk;

''(5) ensuring appropriate debt and risk mitigation products are offered; and

''(6) overseeing prudent, noncontrolling equity investments.

''(b) PRODUCTS AND INVESTMENT TYPES.—The finance and investment division of the Accelerator may provide capital to qualified projects in the form of—

''(1) senior, mezzanine, and subordinated debt;

''(2) credit enhancements including loan loss reserves and loan guarantees;

''(3) aggregation and warehousing;

''(4) equity capital; and

''(5) any other financial product approved by the Board.

''(c) STATE AND LOCAL GREEN BANK CAPITALIZATION.—The finance and investment division of the Accelerator shall make capital available to State and local green banks to enable such banks to finance qualifying projects in their markets that are better served by a locally based entity, rather than through direct investment by the Accelerator.

''(d) INVESTMENT COMMITTEE.—The debt, risk mitigation, and equity investments made by the Accelerator shall be—

''(1) approved by the investment committee of the Board; and

''(2) consistent with an investment policy that has been established by the investment committee of the Board in consultation with the risk management committee of the Board.

"SEC. 1625. START-UP DIVISION.

''There shall be within the Accelerator a Start-up Division, which shall be responsible for providing technical assistance and start-up funding to States and other political subdivisions that do not have green banks to establish green banks in those States and political subdivisions, including by working with relevant stakeholders in those States and political subdivisions.

"SEC. 1626. ZERO-EMISSIONS FLEET AND RELATED INFRASTRUCTURE FINANCING PROGRAM.

''Not later than 1 year after the date of establishment of the Accelerator, the Accelerator shall explore the establishment of a program to provide low- and zero-interest loans, up to 30 years in length, to any school, metropolitan planning organization, or nonprofit organization seeking financing for the acquisition of zero-emissions vehicle fleets or associated infrastructure to support zero-emissions vehicle fleets.

"SEC. 1627. PROJECT PRIORITIZATION AND REQUIREMENTS.

''(a) EMISSIONS REDUCTION MANDATE.—In investing in projects that mitigate greenhouse gas emissions, the Accelerator shall maximize the reduction of emissions in the United States for every dollar deployed by the Accelerator.

''(b) ENVIRONMENTAL JUSTICE PRIORITIZATION.—

''(1) IN GENERAL.—In order to address environmental justice needs, the Accelerator shall, as applicable, prioritize the provision of program benefits and investment activity that are expected to directly or indirectly result in the deployment of projects to serve, as a matter of official policy, climate-impacted communities.

''(2) MINIMUM PERCENTAGE.—The Accelerator shall ensure that over the 30-year period of its charter 20 percent of its investment activity is directed to serve climate-impacted communities.

''(c) CONSUMER PROTECTION.—

''(1) PRIORITIZATION.—Consistent with mandate under section 1623 to maximize the reduction of emissions in the United States for every dollar deployed by the Accelerator, the Accelerator shall prioritize qualified projects according to benefits conferred on consumers and affected communities.

''(2) CONSUMER CREDIT PROTECTION.—The Accelerator shall ensure that any residential energy efficiency or distributed clean energy project in which the Accelerator invests directly or indirectly complies with the requirements of the Consumer Credit Protection Act (15 U.S.C. 1601 et seq.), including, in the case of a financial product that is a residential mortgage loan, any requirements of title I of that Act relating to residential mortgage loans (including any regulations promulgated by the Bureau of Consumer Financial Protection under section 129C(b)(3)(C) of that Act (15 U.S.C. 1639c(b)(3)(C))).

''(d) LABOR.—

''(1) IN GENERAL.—The Accelerator shall ensure that laborers and mechanics employed by contractors and subcontractors in construction work financed directly by the Accelerator will be paid wages not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor under sections 3141 through 3144, 3146, and 3147 of title 40, United States Code.

''(2) PROJECT LABOR AGREEMENT.—The Accelerator shall ensure that projects financed directly by the Accelerator with total capital costs of $100,000,000 or greater utilize a project labor agreement.

"SEC. 1628. BOARD OF DIRECTORS.

''(a) IN GENERAL.—The Accelerator shall operate under the direction of a Board of Directors, which shall be composed of seven members.

''(b) INITIAL COMPOSITION AND TERMS.—

''(1) SELECTION.—The initial members of the Board shall be selected as follows:

''(A) APPOINTED MEMBERS.—Three members shall be appointed by the President, with the advice and consent of the Senate, of whom no more than two shall belong to the same political party.

''(B) ELECTED MEMBERS.—Four members shall be elected unanimously by the three members appointed and confirmed pursuant to subparagraph (A).

''(2) TERMS.—The terms of the initial members of the Board shall be as follows:

''(A) The three members appointed and confirmed under paragraph (1)(A) shall have initial 5-year terms.

''(B) Of the four members elected under paragraph (1)(B), two shall have initial 3-year terms, and two shall have initial 4-year terms.

''(c) SUBSEQUENT COMPOSITION AND TERMS.—

''(1) SELECTION.—Except for the selection of the initial members of the Board for their initial terms under subsection (b), the members of the Board shall be elected by the members of the Board.

''(2) DISQUALIFICATION.—A member of the Board shall be disqualified from voting for any position on the Board for which such member is a candidate.

''(3) TERMS.—All members elected pursuant to paragraph (1) shall have a term of 5 years.

''(d) QUALIFICATIONS.—The members of the Board shall collectively have expertise in—

''(1) the fields of clean energy, electric utilities, industrial decarbonization, clean transportation, resiliency, and agriculture and forestry practices;

''(2) climate change science;

''(3) finance and investments; and

''(4) environmental justice and matters related to the energy and environmental needs of climate-impacted communities.

''(e) RESTRICTION ON MEMBERSHIP.—No officer or employee of the Federal or any other level of government may be appointed or elected as a member of the Board.

''(f) QUORUM.—Five members of the Board shall constitute a quorum.

''(g) BYLAWS.—

''(1) IN GENERAL.—The Board shall adopt, and may amend, such bylaws as are necessary for the proper management and functioning of the Accelerator.

''(2) OFFICERS.—In the bylaws described in paragraph (1), the Board shall—

''(A) designate the officers of the Accelerator; and

''(B) prescribe the duties of those officers.

''(h) VACANCIES.—Any vacancy on the Board shall be filled through election by the Board.

''(i) INTERIM APPOINTMENTS.—A member elected to fill a vacancy occurring before the expiration of the term for which the predecessor of that member was appointed or elected shall serve for the remainder of the term for which the predecessor of that member was appointed or elected.

''(j) REAPPOINTMENT.—A member of the Board may be elected for not more than one additional term of service as a member of the Board.

''(k) CONTINUATION OF SERVICE.—A member of the Board whose term has expired may continue to serve on the Board until the date on which a successor member is elected.

''(l) CHIEF EXECUTIVE OFFICER.—The Board shall appoint a chief executive officer who shall be responsible for—

''(1) hiring employees of the Accelerator;

''(2) establishing the two divisions of the Accelerator described in sections 1624 and 1625; and

''(3) performing any other tasks necessary for the day-to-day operations of the Accelerator.

''(m) ADVISORY COMMITTEE.—

''(1) ESTABLISHMENT.—The Accelerator shall establish an advisory committee (in this subsection referred to as the 'advisory committee'), which shall be composed of not more than 13

members appointed by the Board on the recommendation of the president of the Accelerator.

''(2) MEMBERS.—Members of the advisory committee shall be broadly representative of interests concerned with the environment, production, commerce, finance, agriculture, forestry, labor, services, and State Government. Of such members—

''(A) not fewer than three shall be representatives of the small business community;

''(B) not fewer than two shall be representatives of the labor community, except that no two members may be from the same labor union;

''(C) not fewer than two shall be representatives of the environmental nongovernmental organization community, except that no two members may be from the same environmental organization;

''(D) not fewer than two shall be representatives of the environmental justice nongovernmental organization community, except that no two members may be from the same environmental organization;

''(E) not fewer than two shall be representatives of the consumer protection and fair lending community, except that no two members may be from the same consumer protection or fair lending organization; and

''(F) not fewer than two shall be representatives of the financial services industry with knowledge of and experience in financing transactions for clean energy and other sustainable infrastructure assets.

''(3) MEETINGS.—The advisory committee shall meet not less frequently than once each quarter.

''(4) DUTIES.—The advisory committee shall—

''(A) advise the Accelerator on the programs undertaken by the Accelerator; and

''(B) submit to the Congress an annual report with comments from the advisory committee on the extent to which the Accelerator is meeting the mandate described in section 1623, including any suggestions for improvement.

''(n) CHIEF RISK OFFICER.—

''(1) APPOINTMENT.—Subject to the approval of the Board, the chief executive officer shall appoint a chief risk officer from among individuals with experience at a senior level in financial risk management, who—

''(A) shall report directly to the Board; and

''(B) shall be removable only by a majority vote of the Board.

''(2) DUTIES.—The chief risk officer, in coordination with the risk management and audit committees established under section 1631, shall develop, implement, and manage a comprehensive process for identifying, assessing, monitoring, and limiting risks to the Accelerator, including the overall portfolio diversification of the Accelerator.

''SEC. 1629. ADMINISTRATION.

''(a) CAPITALIZATION.—

''(1) IN GENERAL.—To the extent and in the amounts provided in advance in appropriations Acts, the Secretary of Energy shall transfer to the Accelerator—

''(A) $10,000,000,000 on the date on which the Accelerator is established under section 1622; and

''(B) $2,000,000,000 on October 1 of each of the 5 fiscal years following that date.

''(2) AUTHORIZATION OF APPROPRIATIONS.—For purposes of the transfers under paragraph (1), there are authorized to be appropriated—

''(A) $10,000,000,000 for the fiscal year in which the Accelerator is established under section 1622; and

''(B) $2,000,000,000 for each of the 5 succeeding fiscal years.

''(b) CHARTER.—The Accelerator shall establish a charter, the term of which shall be 30 years.

''(c) OPERATIONAL FUNDS.—To sustain operations, the Accelerator shall manage revenue from financing fees, interest, repaid loans, and other types of funding.

''(d) REPORT.—The Accelerator shall submit on a quarterly basis to the relevant committees of Congress a report that describes the financial activities, emissions reductions, and private capital mobilization metrics of the Accelerator for the previous quarter.

''(e) RESTRICTION.—The Accelerator shall not accept deposits.

''(f) COMMITTEES.—The Board shall establish committees and subcommittees, including—

''(1) an investment committee; and

''(2) in accordance with section 1630—

''(A) a risk management committee; and

''(B) an audit committee.

''SEC. 1630. ESTABLISHMENT OF RISK MANAGEMENT COMMITTEE AND AUDIT COMMITTEE.

''(a) IN GENERAL.—To assist the Board in fulfilling the duties and responsibilities of the Board under this subtitle, the Board shall establish a risk management committee and an audit committee.

''(b) DUTIES AND RESPONSIBILITIES OF RISK MANAGEMENT COMMITTEE.—Subject to the direction of the Board, the risk management committee established under subsection (a) shall establish policies for and have oversight responsibility for—

''(1) formulating the risk management policies of the operations of the Accelerator;

''(2) reviewing and providing guidance on operation of the global risk management framework of the Accelerator;

''(3) developing policies for—

''(A) investment;

''(B) enterprise risk management;

''(C) monitoring; and

''(D) management of strategic, reputational, regulatory, operational, developmental, environmental, social, and financial risks; and

''(4) developing the risk profile of the Accelerator, including—

''(A) a risk management and compliance framework; and

''(B) a governance structure to support that framework.

''(c) DUTIES AND RESPONSIBILITIES OF AUDIT COMMITTEE.—Subject to the direction of the Board, the audit committee established under subsection (a) shall have oversight responsibility for—

''(1) the integrity of—

''(A) the financial reporting of the Accelerator; and

''(B) the systems of internal controls regarding finance and accounting;

''(2) the integrity of the financial statements of the Accelerator;

''(3) the performance of the internal audit function of the Accelerator; and

''(4) compliance with the legal and regulatory requirements related to the finances of the Accelerator.

''SEC. 1631. OVERSIGHT.

''(a) EXTERNAL OVERSIGHT.—The inspector general of the Department of Energy shall have oversight responsibilities over the Accelerator.

''(b) REPORTS AND AUDIT.—

''(1) ANNUAL REPORT.—The Accelerator shall publish an annual report which shall be transmitted by the Accelerator to the President and the Congress.

''(2) ANNUAL AUDIT OF ACCOUNTS.—The accounts of the Accelerator shall be audited annually. Such audits shall be conducted in accordance with generally accepted auditing standards by independent certified public accountants who are certified by a regulatory authority of the jurisdiction in which the audit is undertaken.

''(3) ADDITIONAL AUDITS.—In addition to the annual audits under paragraph (2), the financial transactions of the Accelerator for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the Government Accountability Office in accordance with such rules and regulations as may be prescribed by the Comptroller General of the United States.

''SEC. 1632. MAXIMUM CONTINGENT LIABILITY.

''The maximum contingent liability of the Accelerator that may be outstanding at any time shall be not more than $70,000,000,000 in the aggregate.''.

Subtitle E—Scientific Integrity

SEC. 12501. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) science and the scientific process should help inform and guide public policy decisions on a wide range of issues, including improvement of public health, protection of the environment, and protection of national security;

(2) the public must be able to trust the science and scientific process informing public policy decisions;

(3) science, the scientific process, and the communication of science should be free from politics, ideology, and financial conflicts of interest;

(4) policies and procedures that ensure the integrity of the conduct and communication of publicly funded science are critical to ensuring public trust;

(5) a Federal agency that funds, conducts, or oversees research should not suppress, alter, interfere with, or otherwise impede the timely communication and open exchange of data and findings to other agencies, policymakers, and the public of research conducted by a scientist or engineer employed or contracted by a Federal agency that funds, conducts, or oversees scientific research;

(6) Federal agencies that fund, conduct, or oversee research should work to prevent the suppression or distortion of the data and findings;

(7) under the First Amendment to the Constitution, citizens of the United States have the right to ''petition the government for a redress of grievances''; and

(8) Congress has further protected those rights under section 7211 of title 5, United States Code, which states, ''the right of employees, individually or collectively, to petition Congress or a member of Congress . . . may not be interfered with or denied''.

SEC. 12502. AMENDMENT TO AMERICA COMPETES ACT.

Section 1009 of the America COMPETES Act (42 U.S.C. 6620) is amended by striking subsections (a) and (b) and inserting the following:

''(a) SCIENTIFIC INTEGRITY POLICIES.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Scientific Integrity Act, the head of each covered agency shall—

''(A) adopt and enforce a scientific integrity policy in accordance with subsections (b) and (c); and

''(B) submit such policy to the Director of the Office of Science and Technology Policy for approval.

''(2) PUBLICATION.—Not later than 30 days after the Director of the Office of Science and Technology Policy approves the scientific integrity policy under paragraph (1), the head of each covered agency shall—

''(A) make such policy available to the public on the website of the agency; and

''(B) submit such policy to the relevant Committees of Congress.

''(b) REQUIREMENTS.—A scientific integrity policy under subsection (a)—

''(1) shall prohibit any covered individual from—

''(A) engaging in dishonesty, fraud, deceit, misrepresentation, coercive manipulation, or other scientific or research misconduct;

''(B) suppressing, altering, interfering with, delaying without scientific merit, or otherwise impeding the release and communication of, scientific or technical findings;

''(C) intimidating or coercing an individual to alter or censor, attempting to intimidate or coerce an individual to alter or censor, or retaliating against an individual for failure to alter or censor, scientific or technical findings; or

''(D) implementing an institutional barrier to cooperation with scientists outside the covered agency and the timely communication of scientific or technical findings;

''(2) shall allow a covered individual to—

''(A) disseminate scientific or technical findings, subject to existing law, by—

''(i) participating in scientific conferences; and

''(ii) seeking publication in online and print publications through peer-reviewed, professional, or scholarly journals;

''(B) sit on scientific advisory or governing boards;

''(C) join or hold leadership positions on scientific councils, societies, unions, and other professional organizations;

''(D) contribute to the academic peer-review process as reviewers or editors; and

''(E) participate and engage with the scientific community;

''(3) may require a covered individual to, before disseminating scientific or technical findings as described in paragraph (2)(A), submit such findings to the agency for the purpose of review by the agency of the data and findings for technical accuracy if the scientific integrity policy outlines a clear and consistent process for such review; and

''(4) shall require that—

''(A) scientific conclusions are not made based on political considerations;

''(B) the selection and retention of candidates for science and technology positions in the covered agency are based primarily on the candidate's expertise, scientific credentials, experience, and integrity;

''(C) personnel actions regarding covered individuals, except for political appointees, are not taken on the basis of political consideration or ideology;

''(D) covered individuals adhere to the highest ethical and professional standards in conducting their research and disseminating their findings;

''(E) the appropriate rules, procedures, and safeguards are in place to ensure the integrity of the scientific process within the covered agency;

''(F) scientific or technological information considered in policy decisions is subject to well-established scientific processes, including peer review where appropriate;

''(G) procedures, including procedures with respect to applicable whistleblower protections, are in place as are necessary to ensure the integrity of scientific and technological information and processes on which the covered agency relies in its decision making or otherwise uses; and

''(H) enforcement of such policy is consistent with the processes for an administrative hearing and an administrative appeal.

''(c) IMPLEMENTATION.—In carrying out subsection (a), the head of each covered agency shall—

''(1) design the scientific integrity policy to apply with respect to the covered agency;

''(2) ensure that such policy is clear with respect to what activities are permitted and what activities are not permitted;

''(3) ensure that there is a process for individuals not employed or contracted by the agency, including grantees, collaborators, partners, and volunteers, to report violations of the scientific integrity policy;

''(4) enforce such policy uniformly throughout the covered agency; and

''(5) make such policy available to the public, employees, private contractors, and grantees of the covered agency.

''(d) SCIENTIFIC INTEGRITY OFFICER.—Not later than 90 days after the date of enactment of this Act, each covered agency shall appoint a Scientific Integrity Officer, who shall—

''(1) be a career employee at the covered agency in a professional position;

''(2) have technical knowledge and expertise in conducting and overseeing scientific research;

''(3) direct the activities and duties described in subsections (e), (f), and (g); and

''(4) work closely with the inspector general of the covered agency, as appropriate.

''(e) ADMINISTRATIVE PROCESS AND TRAINING.—Not later than 180 days after the date of enactment of this Act, the head of each covered agency shall establish—

''(1) an administrative process and administrative appeal process for dispute resolution consistent with the scientific integrity policy of the covered agency adopted under subsection (a); and

''(2) a training program to provide—

''(A) regular scientific integrity and ethics training to employees and contractors of the covered agency;

''(B) new covered employees with training within one month of commencing employment;

''(C) information to ensure that covered individuals are fully aware of their rights and responsibilities regarding the conduct of scientific research, publication of scientific research, and communication with the media and the public regarding scientific research; and

''(D) information to ensure that covered individuals are fully aware of their rights and responsibilities for administrative hearings and appeals established in the covered agency's scientific integrity policy.

''(f) REPORTING.—

''(1) ANNUAL REPORT.—Each year, each Scientific Integrity Officer appointed by a covered agency under subsection (d) shall post an annual report on the public website of the covered agency that includes, for the year covered by the report—

''(A) the number of complaints of misconduct with respect to the scientific integrity policy adopted under subsection (a)—

''(i) filed for administrative redress;

''(ii) petitioned for administrative appeal; and

''(iii) still pending from years prior to the year covered by the report, if any;

''(B) an anonymized summary of each such complaint and the results of each such complaint; and

''(C) any changes made to the scientific integrity policy.

''(2) INCIDENT REPORT.—

''(A) IN GENERAL.—Not later than 30 days after the date on which an incident described in subparagraph (B) occurs, the head of a covered agency shall submit a report describing the incident to the Office of Science and Technology Policy and the relevant Committees of Congress.

''(B) INCIDENT.—An incident described under this paragraph is an incident in which an individual, acting outside the channels established under subsection (e), overrules the decision of the Scientific Integrity Officer with respect to a dispute regarding a violation of the scientific integrity policy.

''(g) OFFICE OF SCIENCE AND TECHNOLOGY POLICY.—The Director of the Office of Science and Technology Policy shall—

''(1) collate, organize, and publicly share all information it receives under subsection (f) in one place on its own website; and

''(2) on an annual basis, convene the Scientific Integrity Officer of each covered agency appointed under subsection (d) to discuss best practices for implementing the requirements of this section.

''(h) PERIODIC REVIEW AND APPROVAL.—

''(1) INTERNAL REVIEW.—The head of each covered agency shall periodically conduct a review of the scientific integrity policy and change such policy as appropriate.

''(2) REVIEW BY THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.—

''(A) REVIEW OF SUBSTANTIAL UPDATES.—The head of each covered agency shall submit to the Office of Science and Technology Policy for approval any substantial changes to the scientific integrity policy.

''(B) QUINQUENNIAL REVIEW.—Not later than 5 years after the date of the enactment of the Clean Economy Jobs and Innovation Act, and quinquennially thereafter, the head of each covered agency shall submit the scientific integrity policy to the Office of Science and Technology Policy for review and approval.

''(i) COMPTROLLER GENERAL REVIEW.—Not later than 2 years after the date of the enactment of the Clean Economy Jobs and Innovation Act, the Comptroller General shall conduct a review of the implementation of the scientific integrity policy by each covered agency.

''(j) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term in section 551 of title 5, United States Code.

''(2) COVERED AGENCY.—The term 'covered agency' means an agency that funds, conducts, or oversees scientific research.

''(3) COVERED INDIVIDUAL.—The term 'covered individual' means a Federal employee or contractor who—

''(A) is engaged in, supervises, or manages scientific activities;

''(B) analyzes or publicly communicates information resulting from scientific activities; or

''(C) uses scientific information or analyses in making bureau, office, or agency policy, management, or regulatory decisions.

''(4) RELEVANT COMMITTEES OF CONGRESS.—The term 'relevant Committees of Congress' means—

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

''(B) the Committee on Science, Space, and Technology of the House of Representatives.''.

SEC. 12503. EXISTING POLICIES; CLARIFICATION.

(a) EXISTING SCIENTIFIC INTEGRITY POLICIES.—Notwithstanding the amendments made by this subtitle, a covered agency's scientific integrity policy that was in effect on the day before the date of enactment of this Act may satisfy the requirements under the amendments made by this subtitle if the head of the covered agency—

(1) makes a written determination that the policy satisfies such requirements; and

(2) submits the written determination and the policy to the Director of the Office of Science and Technology Policy for review and approval.

(b) CLARIFICATION.—Nothing in this subtitle shall affect the application of United States copyright law.

(c) COVERED AGENCY DEFINED.—The term ''covered agency'' has the meaning given the term in section 1009 of the America COMPETES Act (42 U.S.C. 6620).

Subtitle F—Other Matters

SEC. 12601. AUTHORIZATION.

Section 112(a)(1)(B) of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7922(a)(1)(B)) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2031''.

SEC. 12602. ADDRESSING INSUFFICIENT COMPENSATION OF EMPLOYEES AND OTHER PERSONNEL OF THE FEDERAL ENERGY REGULATORY COMMISSION.

(a) IN GENERAL.—Section 401 of the Department of Energy Organization Act (42 U.S.C. 7171) is amended by adding at the end the following:

''(k) ADDRESSING INSUFFICIENT COMPENSATION OF EMPLOYEES AND OTHER PERSONNEL OF THE COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, if the Chairman publicly certifies that compensation for a category of employees or other personnel of the Commission is insufficient to retain or attract employees and other personnel to allow the Commission to carry out the functions of the Commission in a timely, efficient, and effective manner, the Chairman may fix the compensation for the category of employees or other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, or any other civil service law.

''(2) CERTIFICATION REQUIREMENTS.—A certification issued under paragraph (1) shall—

''(A) apply with respect to a category of employees or other personnel responsible for conducting work of a scientific, technological, engineering, or mathematical nature;

''(B) specify a maximum amount of reasonable compensation for the category of employees or other personnel;

''(C) be valid for a 5-year period beginning on the date on which the certification is issued;

''(D) be no broader than necessary to achieve the objective of retaining or attracting employees and other personnel to allow the Commission to carry out the functions of the Commission in a timely, efficient, and effective manner; and

''(E) include an explanation for why the other approaches available to the Chairman for retaining and attracting employees and other personnel are inadequate.

''(3) RENEWAL.—

''(A) IN GENERAL.—Not later than 90 days before the date of expiration of a certification issued under paragraph (1), the Chairman shall determine whether the certification should be renewed for a subsequent 5-year period.

''(B) REQUIREMENT.—If the Chairman determines that a certification should be renewed under subparagraph (A), the Chairman may renew the certification, subject to the certification requirements under paragraph (2) that were applicable to the initial certification.

''(4) NEW HIRES.—

''(A) IN GENERAL.—An employee or other personnel that is a member of a category of employees or other personnel that would have been covered by a certification issued under paragraph (1), but was hired during a period in which the certification has expired and has not been renewed under paragraph (3) shall not be eligible for compensation at the level that would have applied to the employee or other personnel if the certification had been in effect on the date on which the employee or other personnel was hired.

''(B) COMPENSATION OF NEW HIRES ON RENEWAL.—On renewal of a certification under paragraph (3), the Chairman may fix the compensation of the employees or other personnel described in subparagraph (A) at the level established for the category of employees or other personnel in the certification.

''(5) RETENTION OF LEVEL OF FIXED COMPENSATION.—A category of employees or other personnel, the compensation of which was fixed by the Chairman in accordance with paragraph (1), may, at the discretion of the Chairman, have the level of fixed compensation for the category of employees or other personnel retained, regardless of whether a certification described under that paragraph is in effect with respect to the compensation of the category of employees or other personnel.

''(6) CONSULTATION REQUIRED.—The Chairman shall consult with the Director of the Office of Personnel Management in implementing this subsection, including in the determination of the amount of compensation with respect to each category of employees or other personnel.

''(7) EXPERTS AND CONSULTANTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Chairman may—

''(i) obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code;

''(ii) compensate those experts and consultants for each day (including travel time) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of that title; and

''(iii) pay to the experts and consultants serving away from the homes or regular places of business of the experts and consultants travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of that title for persons in Government service employed intermittently.

''(B) LIMITATIONS.—The Chairman shall—

''(i) to the maximum extent practicable, limit the use of experts and consultants pursuant to subparagraph (A); and

''(ii) ensure that the employment contract of each expert and consultant employed pursuant to subparagraph (A) is subject to renewal not less frequently than annually.''.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter for 10 years, the Chairman of the Federal Energy Regulatory Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on information relating to hiring, vacancies, and compensation at the Federal Energy Regulatory Commission.

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

(A) an analysis of any trends with respect to hiring, vacancies, and compensation at the Federal Energy Regulatory Commission; and

(B) a description of the efforts to retain and attract employees or other personnel responsible for conducting work of a scientific, technological, engineering, or mathematical nature at the Federal Energy Regulatory Commission.

(c) APPLICABILITY.—The amendment made by subsection (a) shall apply beginning on the date that is 30 days after the date of enactment of this Act.

SEC. 12603. OFFICE OF PUBLIC PARTICIPATION.

Section 319 of the Federal Power Act (16 U.S.C. 825q–1) is amended—

(1) in subsection (a)(1), by inserting '', to facilitate communication with the public relating to, and participation by the public in, matters under the jurisdiction of the Commission, including under this Act and the Natural Gas Act'' before the period at the end;

(2) in subsection (b), by striking paragraph (4) and inserting the following:

''(4) The Office shall promote, through outreach, publications, and, as appropriate, direct communication with entities regulated by the Commission—

''(A) improved compliance with rules and orders of the Commission; and

''(B) public participation in matters before the Commission.

''(5) The Director may assign staff to intervene, appear, and participate in administrative, regulatory, or judicial proceedings on behalf of individuals or entities intervening or participating, or proposing to intervene or participate, in proceedings before the Commission by representing the interests of such individuals or entities on any matter before the Commission.

''(6) The Office shall advocate for, and act as a liaison with, environmental justice communities on matters under the jurisdiction of the Commission.''; and

(3) by adding at the end the following:

''(c) FUNDING.—Funding for the Office shall be derived from fees and charges collected under section 3401 of the Omnibus Budget Reconciliation Act of 1986.

''(d) DEFINITIONS.—In this section:

''(1) COMMUNITY OF COLOR.—The term 'community of color' means any geographically distinct area the population of color of which is higher than the average population of color of the State in which the community is located.

''(2) ENVIRONMENTAL JUSTICE COMMUNITY.—The term 'environmental justice community' means a community with significant representation of communities of color, low-income communities, or indigenous communities, that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.

''(3) INDIGENOUS COMMUNITY.—The term 'indigenous community' means—

''(A) a federally recognized Indian Tribe;

''(B) a State-recognized Indian Tribe;

''(C) an Alaska Native or Native Hawaiian community or organization; and

''(D) any other community of indigenous people.

''(4) LOW-INCOME COMMUNITY.—The term 'low-income community' means any census block group in which 30 percent or more of the population are individuals with low income.

''(5) POPULATION OF COLOR.—The term 'population of color' means a population of individuals who identify as—

''(A) Black;

''(B) African American;

''(C) Asian;

''(D) Pacific Islander;

''(E) another non-White race;

''(F) Hispanic;

''(G) Latino; or

''(H) linguistically isolated.''.

SEC. 12604. BACKGROUND OZONE RESEARCH.

(a) STUDY ON BACKGROUND OZONE RESEARCH NEEDS.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall seek to enter an agreement with the National Academies of Sciences, Engineering, and Medicine (referred to in this section as the ''National Academies'') under which the National Academies shall conduct a study on the current and future research needs regarding background ozone. The study shall—

(A) propose a framework of standard terms and definitions for types of non-local ground level ozone, including types of background ozone, to standardize research on ground-level ozone;

(B) examine the current understanding of background sources of ozone and the contribution of such sources to ground-level ozone in the United States to identify gaps in knowledge that need to be addressed with additional research;

(C) examine challenges in quantifying the sources of background ozone and the contributions of each such source to ground-level ozone on a regional scale in the United States and identifies specific research needs to address these challenges;

(D) include an outline of a plan for a research and development program, including specifications for costs, timeframes, and responsible agencies, to support analysis and demonstration of background ozone trends, including by—

(i) improving collection and observational infrastructure;

(ii) improving confidence in model outputs;

(iii) reducing uncertainties in estimates of background ozone; and

(iv) making background ozone research outputs more useful and accessible to decision-makers; and

(E) identify opportunities for international engagement that may facilitate increased research collaborations that improve understanding of ozone trends.

(2) REPORT.—As a condition of any agreement under subsection (a), the Administrator shall require that the National Academies transmit to Congress a report on the results of the study under subsection (a) not later than 24 months after the date on which such agreement is finalized.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $1,200,000.

SEC. 12605. SMOKE PLANNING AND RESEARCH.

(a) RESEARCH ON WILDFIRE SMOKE.—

(1) CENTERS OF EXCELLENCE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this subsection as the ''Administrator'') shall establish at institutions of higher education 4 centers, each of which shall be known as a ''Center of Excellence for Wildfire Smoke'', to carry out research relating to—

(i) the effects on public health of smoke emissions from wildland fires; and

(ii) means by which communities can better respond to the impacts of emissions from wildland fires.

(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this paragraph $10,000,000 for each of fiscal years 2021 through 2025.

(2) RESEARCH.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall carry out research—

(i) to study the health effects of smoke emissions from wildland fires;

(ii) to develop and disseminate personal and community-based interventions to reduce exposure to and adverse health effects of smoke emissions from wildland fires;

(iii) to increase the quality of smoke monitoring and prediction tools and techniques; and

(iv) to develop implementation and communication strategies.

(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this paragraph $20,000,000 for each of fiscal years 2021 through 2025.

(b) COMMUNITY SMOKE PLANNING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a competitive grant program to assist eligible entities described in paragraph (2) in developing and implementing collaborative community plans for mitigating the impacts of smoke emissions from wildland fires.

(2) ELIGIBLE ENTITIES.—An entity that is eligible to submit an application for a grant under paragraph (1) is—

(A) a State;

(B) a unit of local government (including any special district, such as an air quality management district or a school district); or

(C) an Indian Tribe.

(3) APPLICATIONS.—To be eligible to receive a grant under paragraph (1), an eligible entity described in paragraph (2) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(4) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this subsection to provide to eligible entities described in paragraph (2) technical assistance in—

(A) submitting grant applications under paragraph (3); or

(B) carrying out projects using a grant under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection $50,000,000 for each of fiscal years 2021 through 2025.

SEC. 12606. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 90 minutes equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Science, Space, and Technology.

The gentleman from New Jersey (Mr. PALLONE), the gentleman from Michigan (Mr. UPTON), the gentlewoman from Texas (Ms. JOHNSON), and the gentleman from Oklahoma (Mr. LUCAS) each will control 22½ minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and add extraneous material on H.R. 4447, the Clean Economy Jobs and Innovation Act.

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

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of the Clean Economy Jobs and Innovation Act. This bill is a comprehensive package that will spur clean energy innovation, electrify our transportation sector, make homes and businesses more energy efficient, and modernize our electric grid.

The Clean Economy Jobs and Innovation Act presents practical and achievable clean energy policies that are possible for us to achieve this year. This legislation lays the groundwork for important and comprehensive future climate policy.

The main goal of this energy package is to move provisions we believe have a chance at becoming law this Congress after negotiations with the Senate. Senators MURKOWSKI and MANCHIN, who lead the Senate Energy and Natural Resources Committee, have been working on their own energy package in the Senate.

H.R. 4447 sets new energy efficiency standards for buildings and funds grants to local communities for more efficient schools, homes, and municipal buildings. This is an inexpensive way to save energy and reduce electricity bills for homeowners and businesses, and it has broad support.

This legislation also supports the development and deployment of clean, renewable, and distributed resources, like solar and wind energy, which are crucial to reducing our dependency on fossil fuels. It also supports the transmission projects needed to move clean energy around the country.

Prior to the COVID–19 pandemic, the clean energy sector was booming. Last year, clean energy jobs grew at twice the rate of overall jobs, and as of January, more than 3 million Americans were employed in these jobs. It is critical that the clean energy industry recover this same momentum to secure America's clean energy leadership.

These investments will result in new, good-paying American jobs all across the country. Every million dollars invested in clean energy and energy efficiency produces seven to eight jobs. That is roughly three times as many as investment in fossil fuels.

The transition to a clean energy future also depends upon upgrading our transportation infrastructure to support and encourage the adoption of electric vehicles, or EVs. This legislation invests more than $36 billion to help speed up the electrification of our transportation sector and make EVs an option for more communities. It also authorizes funding for clean school buses, electric vehicle charging equipment, and other zero-emission vehicle programs.

Madam Speaker, this legislation also addresses environmental justice by establishing and reauthorizing grant programs for impacted communities to better participate in the environmental decisions in their backyards. It also increases information sharing so communities can be better informed about the risks in their neighborhoods. And it updates the Civil Rights Act of 1964 to increase opportunities for legal relief. This is a critical start to addressing the disproportionate burden faced by environmental justice communities around the Nation.

Finally, Madam Speaker, this legislation includes a critical bipartisan provision that phases out the use of hydrofluorocarbons, a super pollutant.

It has strong support on both sides of the aisle, including environmental and public health groups, the entire heating and cooling industry, the Chamber of Commerce, and the National Association of Manufacturers. It is one of the most important steps we can take now to create manufacturing jobs and boost our competitiveness while protecting our environment.

I close by thanking the Energy Subcommittee Chairman RUSH for his leadership in moving many of the bills included in this package through the Energy and Commerce Committee, many with strong bipartisan support. I also thank Chairwoman EDDIE BERNICE JOHNSON and Chairman GRIJALVA for their critical contributions to this package and also Representative TOM O'HALLERAN for being the bill's lead sponsor.

Madam Speaker, I encourage all of my colleagues to support this legislation that will modernize our energy system, create jobs, and take positive steps toward addressing the climate crisis.

Madam Speaker, I reserve the balance of my time.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES,
Washington, DC, September 15, 2020.

Hon. FRANK PALLONE, JR.,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing you concerning H.R. 4447, the ''Expanding Access to Sustainable Energy Act of 2019,'' which was referred to the Committee on Energy and Commerce and then to the Committee on Science, Space, and Technology (''Science Committee'') on September 20, 2019.

As a result of our consultation, I agree to work cooperatively on H.R. 4447 and in order to expedite consideration of the bill the Science Committee will waive formal consideration of this legislation. However, this is not a waiver of any future jurisdictional claims by the Science Committee over the

subject matter contained in H.R. 4447 or similar legislation. I also request that you support my request to name members of the Science Committee to any conference committee to consider this legislation.

Additionally, thank you for your assurances to include a copy of our exchange of letters on this matter in the committee report for H.R. 4447 and in the Congressional Record during floor consideration thereof.

Sincerely,

EDDIE BERNICE JOHNSON,
Chairwoman, Committee on Science, Space, and Technology.

COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES,
Washington, DC, September 15, 2020.

Hon. EDDIE BERNICE JOHNSON,
Chairwoman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRWOMAN JOHNSON: Thank you for consulting with the Committee on Energy and Commerce and agreeing to discharge H.R. 4447, the Expanding Access to Sustainable Energy Act of 2019, from further consideration, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will ensure our letters on H.R. 4447 are entered into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

Mr. UPTON. Madam Speaker, I yield myself 1½ minutes.

Madam Speaker, I join my colleagues to express my disappointment in how this bill came together, without regular order and ignoring input from really any Republicans. This is not the way to get things done in divided government or signed into law, and the statement that the White House submitted opposing the bill makes that very clear.

I am disappointed because we had the opportunity to do things the right way in the committee through bipartisanship. But unfortunately, the majority set aside our tradition of bipartisanship in favor of a messaging bill and election year politics. Instead of working through the rough issues and reporting a bill that we could all be proud of, the majority took the easy road and cobbled together a wish list bill. They drafted it behind closed doors, didn't release it for members to see until the very last minute, and so just now, in fact, they had to introduce a new manager's amendment in the final hour to make the corrections and add the new language.

We Republicans offered a lot of amendments to try and improve the bill, but the Rules Committee did not allow such things to happen. Our amendments to invest in technological innovation and clean energy will not even get a debate. My amendment, to reauthorize the Nation's pipeline safety program and strengthen our workforce of pipeline safety inspectors, was also rejected. How can we be opposed to pipeline safety?

I have a number of concerns about the underlying bill, and many of the Democratic amendments which I think are likely to pass, but I share the concern that H.R. 4447 will lead to higher energy costs and discourage innovation. This bill is going to lead to fewer choices for consumers when it comes to home heating, appliances, and energy providers.

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

Mr. UPTON. Madam Speaker, I yield myself another 10 seconds.

Madam Speaker, I am also alarmed by the provisions that will encourage frivolous lawsuits, lead to permitting delays and even more Federal mandates and regulations.

So as we rebuild after the COVID pandemic, we should stay focused on reducing barriers to growth rather than creating more hurdles as this bill does.

Madam Speaker, I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO), who is the chairman of the Environment and Climate Change Subcommittee.

Mr. TONKO. Madam Chair, I thank the gentleman from New Jersey for yielding.

Madam Speaker, I begin by thanking Chairs PALLONE, JOHNSON, and GRIJALVA for all of their hard work on this package.

I have no delusions that this bill will solve climate change, but it can play a meaningful role in deploying clean energy and energy efficiency while supporting improvements and cost reductions in technologies that we are going to need to achieve our decarbonization goals.

This package does not have everything in it that I would have wanted. However, my threshold for support is not whether it is perfect. The questions are: Would it be a net positive? Would it hasten our transition to clean energy? Would it play a role, even a modest one, in reducing climate and traditional pollution? And would it create new American jobs?

I think the answer to each of these questions is an obvious yes.

This package is going to allow us to weatherize more low-income Americans' homes, build more EV charging infrastructure, and codify important environmental justice requirements, which have been ignored for the past 4 years.

It includes bills I have authored to support the Department of Energy's Office of Wind, to streamline the permitting process for distributed energy resources, and to ensure that the research dollars we authorize are protected by strong, scientific integrity policies.

It also includes the American Innovation and Manufacturing Leadership Act, bipartisan legislation that directs EPA to phase down hydrofluorocarbons, highly potent greenhouse gasses, by some 85 percent over 15 years.

It will position the United States to lead the world in the transition to next-generation refrigerants, create 33,000 manufacturing jobs, and ensure we do our part to avoid up to one-half degree Celsius in global warming before the end of this century.

While I am encouraged that the Senate has reached agreement on HFCs, we are still reviewing the details. But I want to make certain that this provision is in those future negotiations. I look forward to continuing the discussions with our Senate counterparts and getting the goals of this language enacted.

This bill isn't perfect, but with all the political uncertainty, this is a package we can take to the Senate and fight for important clean energy wins to be enacted this year. The clean energy transition cannot wait, and neither should we.

I am eager to work with any Member of this Chamber on future legislation that is bold, ambitious, and rises to the scale of the climate crisis.

Mr. UPTON. Madam Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. SHIMKUS), the top Republican on the Environment Subcommittee.

Mr. SHIMKUS. Madam Speaker, I thank the gentleman for yielding. It is great to be with my friends on the floor.

I saw an E&E story earlier this week titled ''House divided over impact, wisdom of clean energy bill.'' Where but in D.C. can you take an 8-page bill and turn it into a 900-page bill? Not only that, it authorizes $135 billion with no offsets, and it divides your own Caucus? You can't outspend some Democrats.

When I testified against this bill at the Rules Committee on Monday, my friend Chairman PALLONE kept making the point that all he wanted to do was get to a conference with the Senate. Congressman TOM COLE asked if the House position wouldn't be stronger with a bipartisan bill? I think the answer is yes, it would, but that is not what we have here today.

Let me debunk this myth of bipartisanship. There are 38 bills from the Energy and Commerce Committee in this package, 38. Committee Republicans are neutral on four of them, and we support 11 and either oppose or have serious concerns with the remaining 23.

Of those 38 bills, we had no regular order on 15 of them. The chairman used to beat us about the head and shoulders about regular order. And I know this is an irregular time, but 15 of these bills had no regular order, no hearing, no subcommittee mark, and no full committee mark. Only two had legislative hearings.

Even worse, at least three of the bills included were bipartisan deals that passed the committee or the House, and then Democrats went back on those deals and changed the language. Now we find out that an environmental stressors title was added in the manager's amendment that received no deliberation in the committee.

But let me outline a few problems other than size, cost, and process, if that is not enough.

Instead of removing barriers to pipelines and transmission lines, this bill inserts new review criteria to infrastructure permitting decisions. These provisions don't just target fossil fuels; they delay deployment of the green energy Democrats say they want

The RPM Act included in this bill allows the EPA to establish a new Federal registry to monitor sales, track parts, and aid enforcement against not just race cars, but every car and truck on the road.

The included HFC provisions totally and disingenuously flaunt the Interstate Commerce Clause by failing to preempt State laws. The included accelerator provisions invite activists to further change the HFC standards through the EPA. The 5-year essential use exemption for products like asthma inhalers, fire suppression systems, and self-defense sprays is laughable when you find out that this exemption does not even become available until 2034, after HFCs have become less available and more expensive.

The Blue Collar to Green Collar energy workforce grant program included in this bill excludes eligibility for not just fossil fuels but nuclear energy. So not only would a rush to green put people out of work, this grant program would fail to provide equal opportunities for the biggest zero-emission energy sector.

Let the buyer beware. This rush to green is exactly what the State of California has done to their electricity grid.

□ 1645

What do you see? We see rolling blackouts and we see higher costs.

In this environmental justice world, it is a government-mandated injustice to poor communities, poor communities that already spend a higher percentage of their income on energy costs and will face even higher costs and with less reliability and, with that, less opportunity with the direction that this package takes us.

This is very, very unfortunate.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO), the chair of our Health Subcommittee.

Ms. ESHOO. Madam Speaker, I thank the chairman of the Energy and Commerce Committee for his leadership and for what is being brought to the floor today.

I am very pleased to be here in support of the Clean Economy Jobs and Innovation Act. I think this is exactly what our country needs. It is looking into the future and saying this is the way we are going to shape it, that America will become a leader innovatively relative to clean air and clean jobs, good-paying jobs.

So this is something that is needed for our country: to promote clean energy and energy efficiency; to protect our planet, which is really facing an existential threat from the warming of the climate.

I remember many years ago, Madam Speaker, as there was a debate going on at the Energy and Commerce Committee, I listened to both sides. They were going back and forth. There were clear differences.

So, when it was my turn to speak, I said, ''Remember this: I will see you on the floor,'' meaning that something was going to happen in someone's district where there was accelerated flooding, accelerated fires, more powerful hurricanes and tornadoes, and then we have to come to the floor to clean up and try to repair and rehabilitate communities. So this is about our collective future.

Those who question the existence of climate change need only look to California, where 10 of the 20 largest wildfires on record occurred in the last decade, including 5 this year alone.

Our planet is sounding the alarm, and Congress needs to lead, respond to this, take it seriously, and be willing to change. Now, without action, we know what is going to happen.

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

Mr. PALLONE. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from California.

Ms. ESHOO. Madam Speaker, I appreciate the gentleman yielding me the additional time.

Madam Speaker, I am pleased that today's package includes my legislation, the Smoke Planning and Research Act.

I talked about the fires, but what everyone needs to understand is what is so deadly about the wildfire smoke. The poisonous particulates are very dangerous for children because their lungs are still developing, very dangerous for seniors, very dangerous for anyone to breathe, because it is a form of poison.

We know that the smoke travels not only hundreds of miles, but thousands of miles.

So this legislation funds the EPA and leading universities to study the public health effects of wildfire smoke, and I am so pleased that it is in the bill.

Madam Speaker, I want to thank the chairman for including it. I also want to thank Speaker PELOSI, who saw the merits of addressing this particular issue, and that it is, today, part of this critically needed clean energy package.

Mr. UPTON. Madam Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Madam Speaker, I thank the gentleman, my good friend from Michigan, for yielding.

Madam Speaker, I rise in opposition to H.R. 4447, which represents a missed opportunity to advance true bipartisan policies that would secure our Nation's energy future.

America's innovators have shown over the past 15 years that they are capable of spurring economic growth and reducing emissions as long as the United States has a regulatory environment that is conducive to the development and deployment of new technologies.

In fact, according to an April EPA report, national greenhouse gas emissions have fallen by 10 percent since 2005 and power sector emissions have fallen by 27 percent while, during the same period, our economy grew by 25 percent. Unfortunately, H.R. 4447 would do nothing to cultivate the necessary regulatory environment to continue to build on these accomplishments.

Another reason to be concerned about this bill is the price tag. At a time when our country is seeing record budget deficits, how has the majority chosen to respond? By spending over $135 billion in taxpayer funds on partisan energy mandates that pick winners and losers.

Finally, my Republican colleagues and I offered amendments to improve this bill. My amendment would have authorized the establishment and operation of a uranium reserve to assure its availability in the event of a market disruption and to support strategic fuel cycle capabilities in the United States. This policy would result in lower carbon emissions, new jobs, and a more secure world.

Unfortunately, the majority ruled against this amendment, as well as those offered by my Republican colleagues on the Energy and Commerce Committee that would have ensured the American people would have access to affordable and reliable sources of energy.

Madam Speaker, I urge my colleagues to oppose this partisan legislation.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), our majority leader, who has prioritized this bill and shepherded it to the floor.

Mr. HOYER. Madam Speaker, I thank the chair of the committee for his focus and hard work on behalf of our environment and on behalf of reversing climate change and on behalf of the health and welfare of the American people.

The global climate crisis is one of the greatest challenges of our time. We must confront climate change, and an essential part of that is investing in clean energy innovation.

This alone is certainly not going to be enough to address the climate crisis we face, but it is a critical step forward that we can and must take now. That is why House Democrats are bringing forward the Clean Economy Jobs and Innovation Act today.

I am sorry this is not a bipartisan bill because, like COVID–19, climate

change is not a partisan issue. It should not be a partisan issue.

This legislation represents progress in the fight against the climate crisis. It represents a significant investment in clean energy infrastructure and job creation.

In addition to investing in clean energy production, distribution, and storage, this legislation sets new energy efficiency standards—I believe my Republican colleagues are for that; I hope they are for that—for buildings and provides funding for homes, schools, manufacturing facilities, and public buildings to upgrade and improve energy efficiency. That is in everybody's best interests.

This bill makes bold investments in wind and solar and advanced nuclear technologies, of which I am a very strong supporter, and in helping to decarbonize the fossil fuel sector.

If we hope to meet the targets that climate scientists say are necessary to avoid the most catastrophic consequences of climate change, many of which we are seeing as we speak today on the floor of this House, we are going to need to employ all of these technologies.

Recognizing the need to fight for environmental justice, the Clean Economy Jobs and Innovation Act prioritizes the needs of those living on the front lines of the climate crisis, including minority, Tribal, and low-income communities. They can't protect themselves. They don't have the dollars to do so. It is up to us to make sure that they are protected.

We are also creating a clean energy workforce development program, championed by my dear friend BOBBY RUSH, to train workers to succeed and help America lead the clean energy revolution.

While the Trump administration cedes the race to being a world leader, withdrawing from all the other nations of the world that have a consensus that we need to deal with climate change and we need to deal with it together, we withdraw from that agreement.

We need to make sure that we continue to be a world leader in the clean energy economy to our foreign competitors. This bill seizes the moment and takes advantage of the economic opportunities that come from taking a bold approach to the global climate crisis. House Democrats recognize that you can't lead the clean energy economy if you refuse to believe that cleaner energy is necessary.

Until we get serious about the dangers of the climate crisis, America will be unable to take advantage of its economic opportunities. That is why, Madam Speaker, this bill is so very important and why I am urging all of my colleagues to join in supporting it.

Madam Speaker, I thank Chairman FRANK PALLONE of the Energy and Commerce Committee; Chairwoman EDDIE BERNICE JOHNSON of the Science, Space, and Technology Committee; and Chairman RAÚL GRIJALVA of the Natural Resources Committee for working so hard to bring this legislation together and advance it to the floor.

Many of these bills that are incorporated here, I think, have Republican support, and this bill ought to have Republican support.

Madam Speaker, I thank all the Democratic members of those committees and Republicans who tried to work constructively and the bill sponsors for their hard work and contributions to this legislation.

Today, the Democratic-led House, Madam Speaker, is doing its job for the people by supporting the development of a clean energy economy and taking important steps to tackle the climate crisis in a serious way that creates jobs and opportunities for our workers.

During the civil rights era, there was a movie, ''Mississippi Burning.'' It had an effect of us addressing systemic racism in America.

Now, much of America, millions of acres, are burning at historic levels. Storms in the Gulf are occurring at historic levels. Storms in the Atlantic along the Atlantic Coast and twisters in the Midwest are occurring at historic levels. It is not appropriate for us to say, as the President said on COVID–19 and the deaths that occurred, ''It is what it is.''

We are here, Madam Speaker, because, when we see that what it is is not right, we ought to act, and that is what we are doing.

Madam Speaker, I hope my colleagues will vote ''yes'' for a cleaner environment, a safer environment, a healthier environment, and a more prosperous and successful America.

Mr. UPTON. Madam Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Madam Speaker, I thank Chairman UPTON for yielding.

Well, Madam Speaker, here we go again: another partisan bill that leadership contends will save the environment. But last week, experts testified that it will not prevent wildfires on the West Coast, droughts in the Midwest, or hurricanes on the East Coast. This is just another effort to gin up the liberal base and divide the House before the election.

But what the bill does do is it creates uncertainty, increases consumer costs, and jeopardizes national security.

Madam Speaker, I thought we were here to find solutions for the environment, but apparently not.

The majority is deliberately misleading the American public with this legislation. Have they no shame? Remember, this bill will not prevent wildfires, droughts, or hurricanes.

Madam Speaker, Congress can do better. America deserves better.

□ 1700

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR), who chairs the Select Committee on Climate Crisis and is also a member of the Energy and Commerce Committee.

Ms. CASTOR of Florida. Madam Speaker, I thank Chairman PALLONE for yielding me the time.

We are in the grips of a climate crisis, a climate emergency, and time is running out. Time is running out to avoid the worst consequences of a heating planet. Time is running out to avoid the escalating costs that are weighing down families and businesses across America.

So this Clean Economy Jobs and Innovation Act is an important step. It brings us a little bit closer to the major ambitious steps that we must take towards a 100 percent clean energy economy.

Here are a few things that are important about this package. It follows the science. The scientists and experts tell us that we truly are running out of time to reduce carbon emissions and greenhouse gases. We must do it as soon as possible, but no later than 2050. That means we have to get going right away.

This package also puts money back in the pockets of consumers and businesses and it will create thousands of jobs. These are the jobs that the younger generation are hungry for, in manufacturing and science, and building resilience among communities all across this country.

This bill also empowers environmental justice communities to address pollution and to protect their health. Very importantly, on a bipartisan basis, bicameral basis, we have to address hydrofluorocarbons. A hydrofluorocarbon is a very damaging greenhouse gas, much more damaging than carbon dioxide.

We have an opportunity in this Congress to address those hydrofluorocarbons and bring them under control. If we don't do this now, it is going to be much more difficult to do it in the future.

So I thank Chairman PALLONE, Chairwoman JOHNSON, and I thank my colleagues for doing what they can.

Next up are the ambitious policies to truly solve the climate crisis.

Mr. UPTON. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Speaker, I appreciate the gentleman yielding.

Madam Speaker, I rise today in opposition to H.R. 4447, despite holding out hope that we would have a truly bipartisan energy package moving through this body.

As I look at the bill, we can't ignore the tremendous price tag, $135 billion, without discussing the use of valuable taxpayer dollars. This bill's price tag reflects the many subsidy programs that duplicate existing programs without meaningful attention applied to addressing the regulatory burdens facing these industries.

If the goal is to transition to a cleaner energy economy, we won't see real progress without a serious discussion about reforming existing regulatory barriers.

An example is the cumbersome NEPA review process which has slowed infrastructure projects for years and added countless sums in costs to projects, without any added benefit to the people.

Another concern I have with this bill is the focus on larger cities while leaving rural communities, like the ones I represent in south Georgia, on the wayside. If the goal is to spur on economic investments in the energy sector, the rural parts of America must be included.

There are also other concerns, such as expensive electric vehicle mandates and experimental technologies that will leave the taxpayer footing the bill.

This package, unfortunately, is not reflective of extensive bipartisan work in committee to pass policies that would help us move forward. Instead, it is a wish list of expensive and duplicate programs that will bog down the significant progress that has already been made here.

There are some programs and ideas that deserve separate consideration because of bipartisan support, but unfortunately, this package falls short.

I urge my colleagues to oppose this bill.

Mr. PALLONE. Madam Speaker, may I ask how much time remains on each side?

The SPEAKER pro tempore. The gentleman from New Jersey has 11 minutes remaining. The gentleman from Michigan has 11½ minutes remaining.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. RUIZ), a member of the Energy and Commerce Committee.

Mr. RUIZ. Madam Speaker, environmental injustices disproportionately impact underserved communities and communities of color around the country.

We have experienced this firsthand in the Eastern Coachella Valley in my district—environmental hazards that worsen quality of life and harm the public's health; children struggling to breathe on their way to school; residents with undrinkable water from high levels of arsenic.

Let me be clear. Having clean water to drink and clean air to breathe is not a privilege just for the affluent few. It is a right and a common good for everyone. That is why I am glad my bill, H.R. 3923, the Environmental Justice Act of 2019, is passing the House this week as part of the Clean Economy Jobs and Innovation Act.

My bill will strengthen protections for vulnerable populations, give impacted communities the ability to hold big corporations and government accountable, and provide needed funds to mitigate and prevent future instances of environmental injustice.

I would like to thank Chairman PALLONE and Subcommittee Chairman TONKO for working with me on this important legislation.

Mr. UPTON. Madam Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN. Madam Speaker, I want to thank the former chairman for yielding me the time today.

I rise in opposition to H.R. 4447, the Democrat's so-called energy package. This bill promotes a radical Green New Deal policy that would cost Americans more than $135 billion. Meanwhile, the bill provides no regulatory or permanent reforms.

If Democrats were serious about reducing emissions, they would focus on getting clean technologies, like nuclear energy, to market quicker.

I offered an amendment last night, but it was rejected by the Rules Committee which would facilitate efficient environmental reviews for nuclear reactor licensing. Its goal was to accelerate the deployment of nuclear reactors which generate zero emissions during electricity generation, if that is your goal, zero emissions. Unfortunately, Democrats would rather weaponize our permitting laws for political motives.

If we eliminate natural gas, or nuclear, in power generation and transition to 100 percent renewables, which H.R. 4447 seeks to do, the cost to national security would be detrimental. The United States would shift from being an energy-dominant country to being energy dependent at a cost to energy consumers because lower income Americans in this deal would pay more as a percentage of their disposable income than others.

It would be costly to the environment and our own security self-interest. I don't understand why my amendments aren't made part of this package other than the politics.

I urge my colleagues to vote ''no'' on H.R. 4447.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY), also a member of our committee.

Mr. MCNERNEY. Madam Speaker, I thank the chairman for yielding.

Climate change is accelerating and poses a growing threat to our economy and to our world. We must address climate change with the urgency that it demands, and that means we must all take action.

That is why I am proud to have introduced two bipartisan pieces of legislation included in this package: the Smart Energy and Water Efficiency Act, which I authored with Representative KINZINGER, which aims to create an innovative water and energy resource management pilot program with the Department of Energy.

The Advanced Nuclear Fuel Availability Act, which I co-led with Representative FLORES, informed the language in this package ensuring that adequate supplies of domestically produced high-assay low-enriched uranium are available in the United States, something that is essential for some of the advanced nuclear reactor designs that are currently being developed.

The Clean Economy Jobs and Innovation Act represents the type of strong, concrete steps that we must take to prevent the catastrophic impacts of climate change. I urge all of my colleagues to support this legislation.

Mr. UPTON. Madam Speaker, may I ask how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Michigan has 9½ minutes remaining. The gentleman from New Jersey has 9 minutes remaining.

Mr. UPTON. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Madam Speaker, I thank my friend from Michigan and former chairman of the Energy and Commerce Committee for yielding me the time.

I am disappointed that during National Clean Energy Week we are considering a bill that fails to prioritize affordable and reliable energy for all Americans and only furthers the radical left's socialist Green New Deal priorities.

H.R. 4447 spent more than $135 billion of hardworking Americans' tax dollars while ignoring meaningful reforms of our rural communities. Specifically, they want to establish a $20 billion Federal green bank to subsidize preferred green projects at the expense of others, like nuclear energy. The bill would also exclude nuclear energy from their proposed Blue Collar to Green Collar energy workforce grant program. This is unacceptable.

Nuclear energy fuels our Nation while helping to provide America with environmental, economic, and national security. I am proud that Georgia's 12th Congressional District is home to two nuclear power plants: Plant Vogtle and Plant Hatch, almost 80 percent of Georgia Power's nuclear capacity.

This industry directly supports well-paying jobs, powers our national defense, and currently generates nearly 20 percent of our country's electricity without any carbon emissions.

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

Mr. UPTON. Madam Speaker, I yield an additional 1 minute to the gentleman from Georgia.

Mr. ALLEN. Madam Speaker, if my colleagues want to have a real policy discussion about clean energy and focus on solutions, they should oppose this partisan power grab and support nuclear energy.

Georgia has some of the most competitive electricity rates in the country thanks to our energy policy.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Madam Speaker, I thank the chair and the committees of jurisdiction for this bill.

For too long, communities of color, indigenous communities, and economically oppressed communities have borne a disproportionate burden from toxic pollution and environmental degradation.

Communities experiencing environmental injustice have been subjected

to systemic racial, social, and economic injustice.

This legislation will push all of our communities forward together, whether through the $20 billion clean energy and sustainability accelerator to finance and mobilize private investment in low-carbon technologies and projects; over $4 billion for research, development, demonstration, and commercial application to advance cutting-edge renewable energy technologies, including: solar, wind, geothermal, and water power; or grants to local communities to improve energy efficiency, including workforce training and rebates for weatherization.

It also authorizes over $36 billion for transportation electrification, which will help Nevada, including $650 million to deploy low- and zero-emissions school buses.

I urge my colleagues to approve this measure.

Mr. UPTON. Madam Speaker, I have two remaining speakers, so I reserve the balance of my time.

□ 1715

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Madam Speaker, I rise today in support of the Clean Economy Jobs and Innovation Act.

To better position ourselves for the 21st century economy, we need to invest in energy-efficient infrastructure that is both sustainable and makes good business sense. This bill does that by incorporating my legislation to reauthorize the Energy Efficiency and Conservation Block Grant program to provide grants to States, local governments, and our Native American Tribes to reduce fossil fuel emissions and conserve energy.

When this program was last funded, local governments were able to pursue a large range of projects, from energy retrofits to deployment of LED street lighting and solar energy systems to electric vehicle charging stations and alternative fuel pumps.

A national evaluation of the program's effectiveness found that with just 1 year of funding, 25.7 million metric tons of carbon equivalent was avoided. And $5.2 billion in cumulative energy bill savings were produced, 70 percent of which were realized by residential customers.

Just imagine what we can achieve with the dedicated, multiyear funding this bill provides. It will create jobs, help consumers save on their energy bills, open new opportunities for local governments to invest in energy conservation, and reduce carbon pollution.

Madam Speaker, I thank Chairman PALLONE for his leadership on this legislation.

Mr. UPTON. Madam Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN), who is the top Republican on the Energy and Commerce Committee.

Mr. WALDEN. Madam Speaker, I want to thank my friend, the ranking member of the House Energy Subcommittee and the former chairman of the full committee, Mr. UPTON, for yielding me this time.

Tragically, I have to rise in opposition to H.R. 4447.

This reminds me of the last time Democrats were in charge. This is now an 894-page bill. Some of it has been through committee. It has never been looked at in its entirety, and it has only been available for a few days within the rules, but certainly not long enough for the American people to fully digest and know everything about it. It is unfortunate because I think we could do a lot more to come together and agree on a package that would cause our economy to really rebound and to drive clean innovation the American way.

You see, Madam Speaker, the key to expanding clean energy and creating prosperous jobs in America is to actually reduce the barriers to building infrastructure, not increase them, and to deploy innovative new technologies that will ensure reliable, affordable energy for the economy. This will produce the economic rebound and the growth that we all want, growth that maintains environmental standards but creates economic opportunities, especially for the poor and the disadvantaged. It generates the resources for communities and families to prepare for their futures.

In recent years, Madam Speaker, Republicans have led successful efforts to enact laws that enable more rapid licensing of hydropower facilities, zero carbon emission hydropower. We are talking small scale in irrigation ditches that are now piped. We are creating new electricity with no emissions. We are putting water into streams for fish. And we are pressurizing systems for farmers.

We did more of that under a Republic majority, and there is more we can do now, but we are not.

We want more seamless delivery and export of clean-burning natural gas. If you think of the conversion that has occurred from coal to gas, the reduction of emissions, we lead the world in reducing emissions. We have created enormous wealth and jobs in areas that had terrible poverty and needed economic development. We have increased private-sector use of carbon capture technologies.

I think there is great hope in the future with our brilliant scientists to do even more in this space and to streamline licensing to enable advanced nuclear energy production. America has always led in that category, and there are new opportunities out there to do small-scale nuclear energy.

We need to do more of that, but sadly, this bill doesn't get us where we need to go. These are all good things for the economy and, frankly, good things for the planet.

Madam Speaker, you won't hear it from the radical left, but the United States has actually been leading the world in carbon reductions. It shows the largest absolute decline in emissions of all countries since the year 2000. Frankly, we have reduced carbon emissions more in total than Britain, France, Germany, and Canada combined—combined, Madam Speaker. So the United States continues to improve its air quality for all communities. Particulate matter pollution is down 25 percent to 44 percent in urban areas around the Nation since 2007. This is tremendous news for disadvantaged communities and, frankly, for all Americans.

All this happened while the United States has reemerged as an energy superpower on top of the economic boom of the shale revolution. So our job today should be to build upon that.

Unfortunately, Democrats' legislation goes in the other direction, I believe. It destroys some of these gains, and it is not the way we should do this. In this Congress, my Committee on Energy and Commerce Republican colleagues have introduced a number of bills to encourage investment in infrastructure, remove more regulatory barriers to permitting and licensing to ensure affordable, reliable energy and to expand access to clean energy, promote nuclear innovation, and protect natural gas resources.

Yes, we have a very aggressive, positive, and pro-environment energy agenda as Republicans. None of the amendments based upon these reforms, unfortunately, made it into H.R. 4447. No. Democrats kept those out, and that is a problem.

Madam Speaker, you do not achieve a prosperous economy and advance clean energy innovations without removing the barriers to building and deploying new technology. You certainly don't achieve this by focusing instead on enacting more than 135 billion borrowed dollars in Federal spending, scores of new Federal subsidy programs, new regulations that delay siting and building, and raising electricity rates. This bill does that, and it increases the cost of new homes and infrastructure.

Yet, that is what this 900-page gorilla does in the room. Sure, there are some bipartisan provisions, but that does not make this a workable bill for the American public. Taken together, provisions in this bill will undermine any efforts to expand infrastructure or build the innovations.

The bill ignores the priorities of rural Americans whose reliance on affordable energy is critical to their productivity and livelihoods. Instead, this bill gives billions for city-oriented green energy and efficiency programs, leaving the rural areas behind with nearly $50 billion in spending and mandates to drive a transformation toward electric vehicles that are sure to drive up electricity rates and transportation costs.

Most troubling are new provisions concerning NEPA and other reviews seeded throughout this bill. These are

sure to lead to delay, litigation, and loss of opportunity. It will take longer to get a permit, longer to site a project, and longer to get a license, as if it didn't take long enough now.

The bill introduces, without any committee review, new private causes of action that are sure to benefit trial lawyers but at the expense of ordinary Americans who want more jobs and better opportunity.

All of this will, unfortunately, keep investments sidelined and any projects funded in the bill on the lab table. This is not energy policy. This is Big Government prescription, and we should not support this bill.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, you know the ordinary people that this legislation helps in my district are young African-American men unemployed, young African-American women unemployed, LatinX men and women, young African-American men, young LatinX men and women, and as well high school graduates and beyond. That is the ordinary Americans in H.R. 4447, the Clean Economy Jobs and Innovation Act.

So I thank Mr. PALLONE and Ms. JOHNSON for their leadership.

Let me tell you, Madam Speaker, the journey that I have taken. I have been an energy lawyer. I have worked in the arena where we have had fossil fuel. But do you know what, Madam Speaker? The Greater Houston Partnership, our chamber, has just designated a clean energy director to work on low carbon in our community.

The transition to a low-carbon society by investing in clean energy this bill provides, distributing energy resources, an energy storage system, and a microgrid, all of which builds resiliency and are crucial to reducing greenhouse gas emissions.

I introduced legislation dealing with wetlands to be able to ensure that the wetlands would be recaptured when they are being utilized for energy production, and we use that for the environment and for jobs.

But here we have a response to the issue of low carbon. My district was devastated by Hurricane Harvey. That is climate change. So it is important to recognize that climate change disproportionately impacts low-income communities of color. H.R. 4447 prioritizes clean energy projects located in low-income, marginalized communities. My constituents are waiting in line for these jobs. It advances the development of technologies and practices that expand access to clean energy.

I represent a community where contamination by creosote came, and Superfund, trying to clean that up. In the meantime, people are suffering from cancer clusters. So when we talk about cleaning the environment and creating jobs, we are long overdue for the Clean Economy Jobs and Innovation Act.

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

Mr. PALLONE. Madam Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Speaker, I want to answer the gentleman's question about ordinary Americans. These are ordinary Americans, some of whom, because of the climate change or the inequity in environmental injustice, have faced the wrong side of energy. I want them to face the good side.

So not only does the bill establish a clean energy workforce development program to educate and train the next generation of clean energy researchers, scientists, and professionals, but it also protects domestic manufacturing by requiring that any project funded under the act to construct, alter, maintain, or repair a public building or public work only use iron, steel, and manufactured goods produced in the United States.

Madam Speaker, this is a new start, but it brings old friends to the table. It brings Houston with the Greater Houston Partnership with a clean energy director who wants to move toward low carbon. It brings energy companies that I questioned during the BP spill that indicated to me they have a huge environmental section in their corporations. We can all work together.

I am a strong supporter of the Clean Economy Jobs and Innovation Act because it is going to bring jobs and reenvision America.

Madam Speaker, as a senior member of the House Judiciary and Homeland Committees, I rise in strong support of H.R. 4447, the "Clean Economy Jobs and Innovation Act," which makes long-overdue reforms to U.S. energy policy and authorizes major investments in the transition to a low-carbon future.

This robust legislation promises to usher in a new era in American innovation, serving as a down-payment on comprehensive climate action.

It includes:

Programs to develop and deploy renewable and distributed energy resources; improve the efficiency of our homes and businesses; electrify our transportation sector; modernize the grid and enhance its resiliency; prioritize the needs of environmental justice communities; and reduce carbon pollution from industrial and traditional sources.

Taken together, these measures provide a path towards modernizing our energy system while also taking an important forward in addressing the current the climate crisis in addition to growing our economy.

Specifically, this bill supports the transition to a low-carbon economy by investing in clean energy, distributed energy resources, energy storage systems, and microgrid, all of which build resiliency and are crucial to reducing greenhouse gas emissions.

Furthermore, H.R. 4447 sets new energy efficiency standards for buildings, which roughly count towards 30 percent of greenhouse gas pollution, and provides funding for schools, homes, municipal buildings, and manufacturing facilities to improve efficiency and deploy energy-efficient technologies.

Reducing our carbon output is crucial in the fight against this current climate crisis, and we are in a crisis.

With wildfires raging on the west coast and multiple "500-year" floods on the Gulf Coast every few years, there is no room for denials or protestations against the existence of climate change.

In 2017, Hurricane Harvey devastated my district.

Rainfall from the storm was calculated to be between 50 and 60 inches in some areas, causing roughly $125 billion in damage, displacing over 100,000 people, and leaving approximately 103 people dead.

For years, climate scientists have warned that global warming is creating conditions that allow these storms to become more powerful, and perhaps even more frequent.

According to the 2014 Climate Assessment, produced by the federal government, the amount of water vapor in the atmosphere has increased due to human-caused warming, causing extra moisture to be available to storm systems and resulting in heavier rainfalls.

Throughout my tenure in Congress, I have been a staunch advocate for innovation and increased funding for research and development, and I am proud that this bill prioritizes this too.

H.R. 4447 authorizes over $4 billion for research, development demonstration, and commercial application to advance cutting-edge renewable energy technologies, including solar, wind, geothermal, and waterpower.

It also drives investment in clean energy innovation by increasing funding for the Advanced Research Projects Agency-Energy, including a path to double its funding by fiscal year 2025.

Madam Speaker, it is no secret that climate change disproportionately impacts low-income, communities of color.

H.R. 4447 prioritizes clean energy projects located in low-income and marginalized communities and advances the development of technologies and practices that expand access to clean energy, including $25 million for grants to deploy energy storage and microgrids in rural communities and $1 billion for solar installations in low-income communities.

In addition, the bill restores private rights of action against recipients of federal funding based on discriminatory disparate impacts.

I have seen first-hand the reality of environmental injustice in my own district.

The Fifth Ward and the northeast neighborhoods in Houston, Texas, are predominantly comprised of African American residents.

They are some of the oldest and poorest communities in Houston.

The median income in the area is $26,644, compared to $49,399 for all of Houston.

About 35 percent of families here live in poverty, more than double Harris County's 14 percent poverty rate, according to the Census.

It is also the location of a cancer cluster due to creosote contamination from the neighboring railroad yard.

For decades, a railroad company operated a wood treatment facility, dipping railroad ties in the preservative creosote, a cancer-causing chemical listed as a hazardous substance by the Environmental Protection Agency.

The creosote emitted fumes, leached into the soil and ran through ditches when it rained or flooded.

At my urging, the Texas Department of State Health Services (DSHS), conducted a

major study on the incidences of cancer clusters in the Houston and found that "the numbers of esophagus, lung and bronchus and larynx cancers were statistically significantly greater than is expected based on cancer rates in Texas [writ large]."

This is not a unique occurrence.

The prevalence of cancer clusters and other health disparities in low-income, communities of color happens far too often across the nation.

This clean energy bill can help many neighborhoods like these.

The Clean Economy Jobs and Innovation Act also includes provisions to improve workforce development and provide labor protections.

Not only does the bill establish a clean energy workforce development program to educate and train the next generation of clean energy researchers, scientists, and professionals, but it also protects domestic manufacturing by requiring that any project funded under the Act to construct, alter, maintain, or repair a public building or public work only use iron, steel, and manufactured goods produced in the United States.

As we seek to rebuild our economy from the devastation of the coronavirus pandemic, we must look to invest in sectors of the economy that are ripe for growth.

Prior to the coronavirus pandemic, clean energy was one of the biggest and fastest-growing employers across the country.

In 2019, clean energy's share of the entire energy workforce was 40 percent.

In fact, Texas boasted the second-highest number of clean energy jobs with over 233,000 clean energy workers.

Furthermore, Texas served as the nation's largest contributor of wind-generated jobs in the nation, with over 25,000 Texas working on wind energy and an additional 192,000 jobs in energy efficient heating and cooling systems, solar power, and electric vehicles.

Madam Speaker, investing in clean energy and properly training the workforce for this new economic sector is the key to creating more high-paying jobs in the United States.

According to the Brookings Institute, jobs in green energy sectors often pay better.

Even for hourly workers in jobs like electricians and carpenters, which require a lower threshold of formal education, around 50 percent of workers have completed only high school or less, and yet they earn higher wages than their counterparts in other industries.

I applaud the forethought of this bill and appreciate its dual focus of addressing the factors that contribute to the current climate crisis as well as seizing the economic opportunities that this challenge presents.

I urge my colleagues from both parties to join me in voting to pass H.R. 4447.

Mr. UPTON. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, Republicans do support clean energy, but we oppose wasteful government spending and top-down policies that make energy more expensive, reduce consumer choice, and threaten our energy security.

Madam Speaker, I include in the RECORD a Statement of Administration Policy from the Office of the President of the United States recommending a veto. The letter states: "H.R. 4447 would lead to higher energy costs and discourage innovation and entrepreneurship" and "fails on several other measures."

STATEMENT OF ADMINISTRATION POLICY

H.R. 4447—CLEAN ECONOMY JOBS AND INNOVATION ACT—REP. O'HALLERAN, D–AZ, AND 9 COSPONSORS

The Administration opposes passage of H.R. 4447. The Administration supports clean energy, job development, and the innovation economy and adheres to a bottom-up energy philosophy that promotes free-markets, funds scientific research, and honors the choices of producers and consumers. This bill, however, would implement a top-down approach that would undermine the Administration's deregulatory agenda and empower the government to select favored solutions while reinstating big-government policies and programs.

H.R. 4447 would lead to higher energy costs and discourage innovation and entrepreneurship. This legislation would bypass well-established processes and procedures and would impose substantial, unwarranted costs on Federal, State, and local agencies and other key stakeholders in both public and private sectors. It would do so by setting rigid energy savings and water consumption reduction targets for Federal agencies, requiring State and local governments to establish strict building codes that are not grounded in available technologies, and mandating a rigorous transition from hydrofluorocarbon use in the private heating and cooling sector.

H.R. 4447 also fails on several other measures. Its proposed creation of new workforce development, training, and other related programs is unnecessary and would lead to greater fragmentation of the workforce system and duplication of efforts between Federal agencies. To support the substantial costs of these programs, the bill would authorize billions in new annual spending. It would also create a "green bank" that would subsidize projects similar to well-known failures like Solyndra. It ignores the importance of permitting reform while endorsing more government control and mandates on goods and products without consideration of the cost to consumers. It would also set up new mandates and regulations that would undo the Administration's significant progress in lowering emissions and cleaning our air and water. Finally, H.R. 4447 would interfere with how we have been designing our own energy and environment destiny free from the reins of the Paris Climate Accord and international agreements or organizations that ignore the clear lessons that have led to American energy independence.

Since January 2017, the United States has experienced a remarkable turnaround in its energy fortunes. In a few short years, our Nation has achieved energy independence and become a net energy exporter and a world energy powerhouse. We have increased exports of United States Liquefied Natural Gas (LNG) by nearly five-fold and issued 20 long-term authorizations for LNG exports to non-free trade agreement countries. The United States is the number one producer of oil in the world and has maintained its status as the top producer of nuclear power and the top producer of natural gas, as well as the world's second-leading generator of wind and solar power. Crucially, while dominating in energy production, the United States continues to lead the world in reducing energy-related carbon dioxide emissions. Americans now have greater access to energy that is abundant, affordable, clean, and reliable, and the Administration looks forward to continuing our successful approach to build on these achievements.

If H.R. 4447 were presented to the President, his advisors would recommend that he veto the bill.

Mr. UPTON. Madam Speaker, I include in the RECORD a letter from the National Association of Home Builders in opposition to the bill due to the expansion of Federal building codes without meaningful provisions to safeguard housing affordability.

NATIONAL ASSOCIATION
OF HOME BUILDERS,
Washington, DC, September 21, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

Hon. KEVIN MCCARTHY,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI AND LEADER MCCARTHY: On behalf of the more than 140,000 members of the National Association of Home Builders (NAHB), I am writing to express strong opposition to H.R. 4447, the Clean Economy Jobs and Innovation Act. Any expansion of the federal government's authority in the code development process without meaningful provisions to safeguard housing affordability is invasive, unnecessary, and unwise. NAHB has designated opposition to H.R. 4447, the Clean Economy Jobs and Innovation Act. as a key vote.

H.R. 4447 undermines the independence of the consensus-based code development process by expanding the federal government's role and authority. This legislation mandates that the Department of Energy (DOE) establish national energy savings targets for residential construction. After the consensus codes-writing bodies approve a new model code, DOE is mandated to submit proposals directly to the code developer, absent of stakeholder input, if DOE deems the federal target has not been met by the model code. H.R. 4447's Washington-knows-best regime fails to meaningfully factor in housing affordability, and it avoids the critical checks and balances that are conducted by the code development stakeholders. This top-down approach denies the consensus bodies the freedom of decision-making, rendering the code development process irrelevant and superfluous.

Further, H.R. 4447 mandates a new regulatory and reporting regime for states to justify their decision to modify their building codes. The bill creates additional burdens by demanding that states that seek access to parts of a $200 million grant program must provide notice of whether they have met the bill's compliance mandates or justify why they cannot comply—a requirement that must be met every two years. This burdensome process significantly limits the ability of states and local governments to focus on adopting newer codes if they are constantly required to demonstrate compliance with this legislation.

NAHB has long supported the development and implementation of reasonable, practical, and cost-effective building codes and standards. NAHB works as a partner with all levels of government to encourage energy efficiency; however, we strongly oppose federal mandates that are not cost-effective and jeopardize housing affordability. Failure to consider the true economic costs of required energy-use reductions in model energy codes and establish reasonable payback periods for these investments will result in fewer families being able to achieve the American dream of homeownership.

For these reasons, NAHB is designating a key vote in opposition to H.R. 4447, the Clean Economy Jobs and Innovation Act.

Sincerely,

JAMES W. TOBIN III.

Mr. UPTON. Madam Speaker, I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, may I ask how much time is remaining.

The SPEAKER pro tempore. The gentleman from New Jersey has 4 minutes remaining.

Mr. PALLONE. Madam Speaker, I yield myself the balance of my time for the Energy and Commerce portion of this debate.

I find it strange, Madam Speaker, that the Republicans pose as the defenders of fiscal responsibility and lowering the deficit when they have what I consider a dismal track record on that issue.

In 2017, they rushed through a tax bill that only rewarded the wealthiest while drowning our children's future in a sea of debt.

What do Republicans do when they create deficits by cutting taxes without paying for it? They propose cuts to existing programs and reject funding for initiatives that benefit everyday Americans.

To be clear, the Congressional Budget Office estimates that this bill would add a whopping zero dollars to the deficit. I stress that again: zero dollars to the deficit.

But if the Republicans are so intent on talking about costs, they ought to look at the cost of climate inaction and the economic harm of letting our competitors lead the global clean energy technology race. By the end of the century, lost wages from climate-related damages will reach $155 billion; mortality from extreme temperatures will surpass $140 billion; and coastal property damage will approach $120 billion. All told, the U.S. economy could lose more than 10 percent of its GDP.

The economic benefits of action, in contrast, are significant: limiting warming to 1.5 degrees Celsius will yield more than $20 trillion in global economic benefits annually in the same timeframe.

The bill before us lays a strong foundation for reaching these scientifically set climate targets. Meanwhile, House Republicans are using tired gimmicks to argue about a deficit they created, a claim the CBO has thoroughly debunked. If we continue to entertain these tried and true delay tactics, we are going to lose the global clean energy race and ensure the worst effects of climate change. We will saddle our economy and generations to come with the cost of extreme weather and reduce economic productivity. This is already happening, Madam Speaker.

But if we reduce our carbon pollution and invest in clean energy technologies, then we can both protect our environment and grow our economy. We can lead the world in energy innovation and lead our allies in addressing the climate crisis.

□ 1730

Now, it has been 13 years since Congress last passed major energy legislation. Since then, the world has changed. Our energy needs have evolved. Technologies have matured, and the need for climate action has become urgent. The policies that govern how we produce, transport, store, and use energy are outdated. Our energy infrastructure is in desperate need of modernization, and Federal investments in energy-related research, development and deployment aren't meeting the needs of the 21st century. We need to transition to a clean, low-carbon economy, and that requires major investments and reforms to U.S. energy policy.

Madam Speaker, this bill, the Clean Economy Jobs and Innovation Act, includes a broad suite of measures to enable that transition in a way that creates jobs, reduces pollution and unleashes American innovation.

The scope of the legislation—I know there have been comments about the size of the bill—the scope of this bill reflects our commitment to delivering ambitious and long overdue upgrades to our Nation's energy system.

Madam Speaker, I urge my colleagues, given what we are faced with today, please, this is why both sides of the aisle should support the underlying bill.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for the Committee on Energy and Commerce has expired.

Ms. JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the threat of climate change is one of the most urgent threats we face.

Today, as we speak, vast portions of the West Coast of our Nation are consumed with wildfires. To the south, our country has already been repeatedly pounded by tropical storms and hurricanes this year. Severe weather and dangerous heat waves are becoming increasingly commonplace. Coral reefs around the world are dying off, threatening whole ecosystems, and the ocean is becoming more acidic, which puts in peril an entire food chain vital to feeding humanity.

The threat of climate change is here, and it is long past time for Congress to take action to combat it.

Responding to climate change is also an opportunity to reinvent our economy and propel it into the 21st century. We have the opportunity to make America the leader in a host of clean energy technologies that will boost our economy and bring good, high-paying jobs.

H.R. 4447, the Clean Economy Jobs and Innovation Act, will do just that by investing unprecedented amounts in clean energy research and development. This bill also makes long overdue investments in grid modernization and large-scale energy storage, which are key to allowing us to unlock the full potential of intermittent renewables and other clean energy investments.

Finally, this bill makes a critical investment in carbon capture and storage technology. We have to recognize that today, as we speak, most of the energy used for electricity, transportation, and industrial processes in our Nation and across the world are still produced from fossil fuels. To realistically hope to combat the worst effects of climate change, we have to invest in technologies that can clean up the bulk of our current pollution sources, both here and abroad.

All of the 16 bills that the Committee on Science, Space and Technology contributed to this package are bipartisan pieces of legislation. This reflects the broad support of these bills in both the environmental and business community—having received support from groups as diverse as the NRDC, the U.S. Chamber of Commerce, the League of Conservation Voters, and the National Association of Manufacturers.

Madam Speaker, I want to take a moment to thank our current Subcommittee on Energy chair, LIZZIE FLETCHER, and our former chair, CONOR LAMB, for their hard work in getting us to this point today.

I also thank my fellow committee chairs, FRANK PALLONE and RAÚL GRIJALVA, for their tireless work on H.R. 4447 and their commitment to fighting for climate change.

H.R. 4447 will not, on its own, prevent climate change, but it is a vital first step in addressing this threat. If we don't take the first step, we will never get anywhere in our efforts to address this growing crisis.

Madam Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am disappointed that we are here today to consider a massive, impractical messaging bill instead of voting on real clean energy solutions.

At the very first Committee on Science, Space, and Technology hearing this Congress, I committed to addressing climate change and global greenhouse gas emissions through science and technology.

My Republican colleagues and I have worked in good faith to create bipartisan legislation that supports much-needed research and development into nascent, clean energy technologies.

And when I say bipartisan, I mean truly bipartisan. My friend across the aisle will try to characterize H.R. 4447 as bipartisan. But that is not strictly accurate. This bill was written without Republican input, and we were given one week to read and consider 900 pages of legislative text.

Some provisions in this bill were considered and passed with bipartisan support at the committee level, but they were changed without consultation before they were included in this bill. Other provisions have a single Republican cosponsor, which technically makes them bipartisan, but certainly

doesn't indicate that there is widespread support from both parties.

Madam Speaker, we do have truly bipartisan bills on research and development of clean energy technologies. We could be considering those today.

For instance, the Committee on Science, Space, and Technology has a long history of strong support from both sides of the aisle for basic research.

Why? Because without fail, basic research has generated breakthrough technologies that have revolutionized energy production in America, making it cleaner, cheaper, and more efficient.

Basic research at our national labs is pioneering technologies that capture carbon emissions from coal, natural gas, batteries that store energy from intermittent energy sources like wind and solar, and advanced nuclear reactors that can provide cleaner, more affordable power.

This is the kind of work that private industry generally can't perform because it is simply too risky to invest in. Government-funded basic research makes groundbreaking discoveries and American industry then translates that into marketable technologies, making our economy stronger, our energy production more efficient.

So why does this bill largely ignore basic research? H.R. 4447 doesn't include any support for the Department of Energy's Office of Science, which drives basic research and represents more than half of the Department's entire civilian Federal R&D portfolio.

Instead, the bill before us today spends $35 billion to increase funding for every applied energy office at the DOE. While applied energy programs play an important role in improving efficiency in various industry sectors, they can only do so much. This bill is throwing money at renewable energy industries that are already mature and competitive, instead of investing in the next generation of clean energy technology.

If you will pardon the farming analogy, this is like spending all your money to build a better plow instead of investing in a tractor.

If we truly want clean, affordable, sustainable energy for Americans, we can and must do better than this.

Madam Speaker, I have introduced legislation designed to boost American competitiveness and address climate change. H.R. 5685, the Securing American Leadership in Science and Technology Act, will double funding for the Office of Science, update our research facilities and infrastructure, and improve tech transfer. It is a thoughtful investment in the future of American science.

And there are other bipartisan bills we could be considering today, all of which have close Senate companions and strong bipartisan Senate interest:

H.R. 4091, the ARPA-E Reauthorization Act, was passed out of the Committee on Science, Space, and Technology last year after both sides came together to negotiate a consensus bill that doubles our investment in ARPA-E's high-risk, high-reward research while establishing guardrails to make sure we are using our limited research dollars wisely.

H.R. 5347, the Advanced Geothermal Research and Development Act, authorizes cutting-edge geothermal research and development so we can take advantage of this vast and largely untapped renewable resource.

And H.R. 2986, the Better Energy Storage Technology Act, or the BEST Act, authorizes a crosscutting research and development program to accelerate high-priority energy storage technology. This is critical to more efficient and consistent use of renewable technologies, like solar and wind.

Giving any one of these bills consideration today, would guarantee more progress on clean energy technology than this messaging bill.

If we are serious about addressing climate change and providing Americans with clean, affordable energy, we need to be serious about the basic research that supports the goal.

Madam Speaker, I hope we can put aside partisan performances like this and instead focus on supporting research into the next generation of clean energy technology.

Madam Speaker, I urge my colleagues to oppose this bill, and I reserve the balance of my time.

Ms. JOHNSON of Texas. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Mrs. FLETCHER).

Mrs. FLETCHER. Madam Speaker, I thank Chairwoman JOHNSON for this opportunity and for her bipartisan leadership of the Committee on Science, Space, and Technology during this Congress.

Madam Speaker, I rise today in support of H.R. 4447 and the important bills from the Committee on Science, Space, and Technology that are included in this bill.

I am proud to represent Houston, Texas, the energy capital of the world, and our country leads the world in energy production and innovation because of the work that we do in Houston. We innovate, we create, we research, and we power the world.

H.R. 4447 will help ensure that we continue to do so with a meaningful increase in the Federal resources necessary to develop critical energy technologies that we will rely on in our energy mix into the next century.

As the center of energy expertise and experience in the country, my constituents in Houston are well-positioned to utilize the financial support provided through this bill and to help chart the course for our energy future.

I am particularly glad that to expand research and development of large-scale demonstration of carbon capture, utilization and storage technologies, this package includes legislation I helped lead with my friend from Fort Worth, Mr. VEASEY, the Fossil Energy Research and Development Act.

Critical work on carbon capture is going on right now in my district, and we have a real opportunity to reduce carbon emissions through these and other carbon capture efforts.

To continue the important work of modernizing the use of fossil fuels, Houston companies and universities will be eligible to compete for an estimated $14 billion in grant funds made possible by this bill.

I am also glad that this bill includes the ARPA-E Reauthorization, legislation passed through our subcommittee to reauthorize funding for the Department of Energy's Advanced Research Projects Agency-Energy to help advance high-potential, high-impact technologies in the early stages of development.

While I support these and other important provisions of this bill, I recognize that it is not a perfect bill. I am disappointed that my amendment to address some outstanding issues related to eminent domain and pipeline construction was not made in order.

Our conversation about our energy future is vital for all of us. I look forward to continuing my work with my colleagues on both sides of the aisle to ensure that we are able to build the infrastructure we need to ensure the reliable delivery of American energy across the country and to collaborate on the essential research that we need and that we focused on so much in our committee work.

In the energy capital of the world, we have unique and critical expertise to offer this conversation, and it will help us chart a path forward together.

Madam Speaker, this bill represents some of the things we can do together. And for that reason, I will vote in favor of it, and I urge my colleagues to do the same.

□ 1745

Mr. LUCAS. Madam Speaker, I yield 5 minutes to the gentleman from Texas (Mr. WEBER), the ranking member of the Subcommittee on Energy.

Mr. WEBER of Texas. Madam Speaker, when I testified before the Rules Committee on Monday, I called the bill before us today the 900-page gorilla in the room. This is it right here. Bipartisan? It is about as bipartisan as two wolves and a lamb discussing what to have for dinner.

Let me tell you, as I stand before you today, Madam Speaker, H.R. 4447, the Clean Economy Jobs and Innovation Act, has only picked up speed as it charges dangerously toward passage.

Starting with the backroom process, 98 out of 176 submitted amendments were made in order, and there seems to be no rhyme or reason why. I personally submitted two that were ruled out of order. One was on nuclear research—you want to talk about clean energy, green—one on nuclear research and development, and one was a simple sense of Congress to ensure the long-term stability of fossil fuels, the bedrock of our Houston economy that the gentlewoman from Texas was just talking about.

Yet my Democrat colleagues on the other side of the aisle have said this bill is a simple marker meant to pass the House and meet the Senate and their energy package at conference to iron out the details. The problem with that is that they are ignoring the real bipartisan, bicameral legislation that has already been ironed out.

Let's use it. That would be a new wrinkle in their thinking.

My nuclear R&D amendment, which won't even have a chance to be voted on, is composed of language that has support in the Senate and closely mirrors their Nuclear Energy Leadership Act, or NELA, a priority of Senator MURKOWSKI.

This just goes to show that today's bill and the rushed process behind it is simply another messaging exercise, that the Democrats have no intention of negotiating to the point of it actually being signed into law.

There is a novel thought.

On top of the hasty procedure to rush through regular order, this bill has been falsely labeled bipartisan, as our great friend from Oklahoma said. I have listened to my Science Committee Democrat colleagues boast that all of our relevant sections are bipartisan. Really? Yet, Madam Speaker, they won't mention that 7 of the 17 bills that are cosponsored by Republicans are not even on the Science Committee.

When the Republican committee members who sat through hearings heard from the stakeholders and tried to amend these bills decided to oppose the legislation, the Democrats looked for any name with an ''R'' next to it just to check the box of ''working together.''

Once again, I will say it. If my colleagues on the other side were serious about ensuring that this bill is more than just an opportunity for another sound bite, they would bring together the correct parties to reach a consensus the President would actually sign into law.

Madam Speaker, I am disappointed in this wasted opportunity. The United States has the ability to lead the world in technology. We have the ability to lead the world in technological solutions, and we can produce clean energy sources for the next generation, those jobs the gentlewoman from Houston, Texas, was talking about. But, sadly, today's bill misses that mark.

For that reason, I urge my colleagues to oppose this legislation.

Ms. JOHNSON of Texas. Madam Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. BONAMICI), a very dynamic member of the committee.

Ms. BONAMICI. Madam Speaker, I rise in support of the Clean Economy Jobs and Innovation Act, which includes my Water Power Research and Development Act.

Oceans cover more than 70 percent of the surface of our planet. Waves, currents, and tides can be used as a plentiful, renewable resource to power our homes, buildings, and communities. According to the Department of Energy, there is enough kinetic energy in waves and tides along the U.S. coastline to meet a significant portion of our Nation's power needs.

As we transition to a 100 percent clean energy economy, we have the opportunity to capture the power of the ocean to help mitigate the climate crisis. Oregon is at the forefront of marine energy, thanks to the leadership of Oregon State University, the Pacific Marine Energy Center, and pioneering businesses like Vigor.

Last year, I visited the Ocean Energy device, built by workers at Vigor, before it was deployed off the shores of Hawaii for a pilot. It was not until I was standing in front of this enormous device that I grasped the scale of this resource and what we can gain from it.

Marine energy has tremendous potential as one of the last untapped renewable energy sources, and Federal investment can help unlock it. My bipartisan Water Power Research and Development Act would reauthorize funding for research, development, demonstration, and commercialization of marine energy within the Department of Energy's Water Power Technologies Office. This funding supports the leading research and development efforts at Pacific Marine Energy Center and will help their efforts to establish a wave energy test facility off the coast of Oregon.

As a member of the Select Committee on the Climate Crisis, I am pleased that this package includes many provisions from our bold, comprehensive, science-based Climate Crisis Action Plan.

I thank Chairwoman JOHNSON, Congressman YOUNG, and Congressman DEUTCH for their support.

I urge my colleagues to support this bipartisan energy package.

Mr. LUCAS. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BABIN), the ranking member of the Subcommittee on Space and Aeronautics.

Mr. BABIN. Madam Speaker, like many of my Republican colleagues, I had what I believed to be an essential amendment ruled out of order. Simply put, my amendment ensured that fossil fuel power generation systems were not left behind as we try to navigate a clean energy future.

From schools to hospitals, too much of our critical infrastructure is currently dependent on the systems that we already have in place. No matter which side of the aisle you are on, you cannot argue against the fact that fossil fuels are the status quo right now and some of the very cheapest.

But we don't get the chance. We will not have the chance to express that support today. Instead, we will get this Democrat dream sheet forcefully passed, only to then die with no Senate interest. We are missing a golden opportunity for bipartisan solutions.

Rather than turn off the light switch and force our economy into a blackout-ridden future of renewable sources, we need to utilize what is still readily available to us. That is why I am supportive of carbon capture, utilization, and storage.

I believe that, when developed, these technologies stand to only improve our fossil fuel power generation and even hold the potential to make it a clean energy source. But, as written, the legislation before us lacks a focus on critical basic research that will advance these technologies.

Areas like advanced computing, manufacturing, and materials research will maximize our Nation's fossil fuel resources. Simply building more demonstration projects similar to those already in existence, like Petra Nova in Texas or the National Carbon Capture Center in Alabama, will not develop next-generation membranes for direct air capture or novel solvents for energy-efficient gas separation.

Additionally, this bill makes outrageous funding increases to the Department of Energy's Office of Fossil Energy. Currently funded at $750 million for fiscal year 2020, this bill increases the office's budget to a whopping $3 billion in fiscal year 2025 and spends $15 billion over the next 5 years.

I am intrigued that some of my Democrat colleagues who have stated their goal to completely phase out fossil fuels in the next 10 years would support such a massive increase. At the same time, however, I am encouraged to see more folks on the other side of the aisle acknowledge the long-term necessity of fossil fuels in our clean energy future.

I am unquestionably a staunch supporter of fossil fuels and, specifically, the DOE Office of Fossil Energy, but we must act in a fiscally responsible manner. We cannot undertake this massive funding increase of 300 percent while simultaneously increasing applied energy programs like wind and solar. This is a disservice to the already strapped American taxpayer, and I urge its rejection.

I want to thank Ranking Member LUCAS, my friend from Oklahoma, for his leadership on the Science Committee.

Ms. JOHNSON of Texas. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Madam Speaker, I rise in support of H.R. 4447, the Clean Economy Jobs and Innovation Act.

I want to thank Speaker PELOSI, Majority Leader HOYER, Chairwoman JOHNSON, Chairman PALLONE, and minority leadership for working to put this bill on the floor today.

I would like to focus on title X of this bill, which is an amended version of my bill, H.R. 4481, the Securing Energy Critical Elements in American Jobs Act of 2019.

Title X addresses energy-critical materials, which are important components of advanced technologies, including cellphones, laptops, jet engines, gas and wind turbines, solar panels, and state-of-the-art batteries.

Our Nation relies on imports for at least 80 percent of its domestic needs for 21 of 35 of these critical materials. Some of these materials are difficult to mine cost effectively, and China controls 80 percent of the supply. Ensuring a reliable, responsible, and stable supply of critical materials is vital to our national, energy, and economic security.

Previously, the Department of Energy established a limited-term Critical Materials Institute to help ensure a reliable supply of energy-critical materials. Unfortunately, CMI has never been specifically authorized. The language I offered in title X would properly authorize and codify CMI.

Additionally, the DOE would be required to utilize the expertise of Federal agencies, the private sector, and our national laboratories. Two of these laboratories, Lawrence Livermore and Sandia, are both in my congressional district.

I would also like to thank my colleagues for including this language in the package, and Adam Rosenberg on the committee staff for his work on this topic and Adeola Adesina on my staff for the long work on this topic, which has been for over 6 years in our office.

Tomorrow, I will launch the Critical Materials Caucus with my friend from Pennsylvania, Republican GUY RESCHENTHALER, to continue work on this issue.

I urge all Members to support H.R. 4447.

Mr. LUCAS. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WALTZ), an esteemed member of the Science Committee.

Mr. WALTZ. Madam Speaker, H.R. 4447, the Clean Economy and Jobs Innovation Act, authorizes research and development activities across the Department of Energy's applied energy programs.

As my colleagues have noted, while there are several bipartisan provisions in this package, they are outweighed, unfortunately, by partisan priorities in a rushed and irresponsible legislative process.

I think, by now, we can all recognize how many missed opportunities for true bipartisanship have been complicated by this approach. Critical minerals is certainly one of them.

Critical minerals play a vital role in our everyday lives. Battery storage, defense systems, healthcare equipment, medicines, things that impact U.S. national security, economic growth, and energy independence are all reliant on secure and safe access to critical minerals.

However, currently, the United States is dependent on other countries for 31 of 35 critical minerals identified by the Department of the Interior; and of these, 14 are imported to the U.S. at a rate of 100 percent.

On the list are lithium and graphite that power clean energy solutions, all of which are controlled by China. China, in fact, holds an overwhelming advantage in access to critical minerals, and the COVID–19 pandemic has made it dangerously clear that we cannot, as a nation, rely on China for our essential resources.

In May, I introduced H.R. 7061, the American Critical Mineral Exploration Act, which builds on the successes of the Senate's American Mineral Security Act by taking a more comprehensive approach to onshoring these critical mineral supply chains.

□ 1800

Earlier this year, it seemed like many of these provisions would be considered in good-faith negotiations with Science Committee Democrats, but unfortunately, despite our shared goals, we have had to pause negotiations in order to now consider this partisan messaging bill that is on the floor today. This is a waste of the taxpayers' money, and a waste of the few remaining legislative days.

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

Mr. LUCAS. Madam Speaker, I yield an additional 1 minute to the gentleman from Florida (Mr. WALTZ).

Mr. WALTZ. This is why I offered an amendment to replace the critical materials text in H.R. 4447 with the American Critical Mineral Exploration Act, and I was disappointed to see it was not made in order. I find this surprising, since my bill serves as an expanded companion to the Senate's Critical Mineral Security Act, which was included in Chairwoman MURKOWSKI's American Energy Innovation Act, and House Democrats claim the goal of H.R. 4447 is to mirror that package. We clearly see that is not to be the case.

It is time to get back to work on clean energy solutions, on bipartisan solutions, and addressing China. It is time to act on our promises of bipartisanship. The majority has now canceled our agreements on the China Task Force, clean energy, and critical minerals.

Madam Speaker, I urge my colleagues to oppose this legislation.

Ms. JOHNSON of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. FOSTER), a distinguished scientist and member of the committee.

Mr. FOSTER. Madam Speaker, I rise in support of the Clean Economy Jobs and Innovation Act.

This act includes provisions from the bipartisan H.R. 2986, the Better Energy Storage Act, or BEST Act, led by me, Mr. CASTEN, Ms. HERRERA BEUTLER, and Mr. GONZALEZ.

These provisions set forth a cross-cutting program at the Department of Energy to advance a suite of energy storage technologies. It directs DOE to establish a research and development program for cost-effective, sustainable energy storage systems, including testing and validation activities.

It directs the Department to develop a 5-year strategic plan to continue to identify and refine research goals for the program, and it would establish an energy storage demonstration program to help put more energy storage systems on the electric grid.

Energy storage technologies take many forms, including batteries, pumped hydropower, thermal energy storage, or chemical energy stored as hydrogen. The development of cost-effective storage systems will help reduce the intermittency issues of renewable generation sources like solar and wind energy and will also help provide grid services, such as frequency regulation to ensure the stability of the electrical supply that consumers depend on. And they will begin to address the seasonal variation, which is the final frontier of energy storage technology.

In my home district of Illinois, researchers at Argonne National Lab are leading a national collaboration to accelerate the development of advanced batteries, including novel cathode, anode, and electrolyte designs, as well as new materials synthesis and characterization tools.

And that is why I am so pleased to see provisions of the BEST Act in the Clean Economy Jobs and Innovation Act.

I would be remiss if I did not acknowledge the hard work of my colleague on the Science Committee, Mr. CASTEN, who introduced the Promoting Grid Storage Act of 2019. His bill contained many important provisions that have helped strengthen the version of the BEST Act that we are considering within this package.

Madam Speaker, I urge my colleagues to join me and vote ''yes'' on H.R. 4447.

Mr. LUCAS. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BAIRD), the ranking member of the Subcommittee on Research and Technology.

Mr. BAIRD. Madam Speaker, today I rise in opposition to H.R. 4447, the Clean Economy Jobs and Innovation Act.

My reason for this is like many of my Republican colleagues, it has a misguided focus on applied energy, and almost no focus or attention to basic research.

The area I am concerned about is the lack of attention on biological and environmental research, BER.

Just a few weeks ago, the Science Committee held a hearing on the Department of Energy's BER office. We heard how their world-class user facilities and bioenergy research centers bring together researchers and data for open collaboration, not seen anywhere else in the world.

Ranking Member LUCAS' bill, H.R. 5685, the Securing American Leadership in Science and Technology Act,

authorizes these user facilities and bioenergy research centers, along with a host of other basic research provisions.

My point is: That there are productive alternatives that have the right focus and are ready to be passed, instead of this partisan package in front of us today.

Ms. JOHNSON of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. LAMB), a hardworking member of the committee.

Mr. LAMB. Madam Speaker, I want to thank the chairwoman for bringing this bill to the floor.

Madam Speaker, I come from western Pennsylvania, home of the first oil well, home of coal and steel, home of the first nuclear power plant, home of the fracking revolution, and most importantly, home of the people who built all of these things.

And it is as a western Pennsylvanian today, not as a Democrat or Republican, but as a western Pennsylvanian that I am proud to have supported and contributed provisions to this bill. Both Democrats and Republicans will vote for this bill tomorrow—they will. And that is how it should be.

Somehow people got the idea that energy was one more topic that should be politicized in America, and they are wrong. The future of energy is about jobs, not red jobs, not blue jobs, just jobs. And we know how to create jobs in America when we use our government to win the race to new technologies. That is why I have never thought the best analogy here is the New Deal, it is the Manhattan Project.

Back then, when we had a threat from outside our country, it required us to double down on all the nuclear science and then get it out of the lab and into the factories, into the power plants, into the construction camps. We created jobs.

And just like that was a competition against Germany, and just like today, we still thank the Greatest Generation for refusing to tolerate Germany beating us to the bomb. Today, we should refuse to tolerate China beating us to those jobs.

Someone will get these jobs. Someone will build the next advanced nuclear reactor. Someone will figure out how to build a gas-fired power plant with carbon storage, and someone will win the race on batteries. It should be us. And this bill will give us a leg up in each one of those technologies. There is no more time to waste.

My colleagues across the aisle have raised fair points about their own ideas and legislation, but make no mistake, this bill is a blueprint for more jobs, less carbon, more science, less partisanship, and we should all pass it without delay.

Mr. LUCAS. Madam Speaker, I yield 2 minutes to the gentleman from Idaho (Mr. FULCHER).

Mr. FULCHER. Madam Speaker, I stand in opposition to H.R. 4447. A clean energy future is not possible without advanced nuclear energy.

We are in a global competition. Russia is building seven reactors in Asia, has 22 more under contract in Asia and Europe, and proposals to put more in Africa. China is on pace to double nuclear capacity by 2030 and has stated it wants to build 6 to 8 reactors a year. In the U.S. we are currently building two.

If we fall behind, so does our national security and geopolitical standing.

That is why I introduced the Next Generation Nuclear Advancement Act, which was ruled out of order as an amendment. All sections of this act, the Nuclear Energy Strategic Plan, and Integrated Energy and Light Water Reactor Programs, have Senate counterparts with bipartisan support.

These provisions need to be inserted for legislation to have a chance at becoming law; anything less is only useful as a social media post.

Ms. JOHNSON of Texas. Madam Speaker, I yield 3 minutes to the gentlewoman from Virginia (Mrs. LURIA).

Mrs. LURIA. Madam Speaker, I rise today in support of this bill, H.R. 4447, and applaud the inclusion of nuclear power as a critical element of our energy future and our national security.

As an engineer who operated nuclear reactors in the Navy, I saw firsthand that nuclear power, when deployed safely and responsibly, can play a key role in our future as a zero-carbon energy source. Advanced nuclear designs carry potential for our economy, our national security, and electrical grid, as they can provide a steady source of clean energy and reduce carbon emissions.

The Nuclear Energy Leadership Act section of this bill would jump-start innovation and advanced nuclear energy by authorizing $55 million per year through 2025 for an advanced reactor technologies program and establish the University Nuclear Leadership Program to develop our future nuclear workforce.

The inclusion of my bipartisan legislation, the Nuclear Energy Leadership Act, in this bill will facilitate the path to market for advanced reactors and help the U.S. maintain international leadership in nuclear technology and safety.

Madam Speaker, I thank Chairwoman JOHNSON and Representative LAMB, and the Science, Space, and Technology Committee for working with me on this important legislation, and for including the important element of nuclear power in this energy package.

Mr. LUCAS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as I said in my opening statement, as ranking member of the Science Committee, I am disappointed we are debating a messaging bill today, rather than a substantive bipartisan bill, the kind that we worked on to address clean energy and climate change.

I would like to thank my Republican colleagues, Energy Subcommittee Ranking Member WEBER, Space Subcommittee Ranking Member BABIN, Research and Technology Ranking Member BAIRD, and Representatives WALTZ, CRENSHAW, and FULCHER, and many others for their hard work in championing energy R&D issues that will truly deliver on the promise of our clean energy future.

It is not too late to make progress. If there is one thing to take away from this, it is that Science Committee Republicans are ready and willing to work with our shared priorities.

So let's set aside this bipartisan messaging exercise and start having serious conversations about supporting the basic research needed to make real progress in clean energy.

Madam Speaker, I once again urge my colleagues to oppose this legislation, and I yield back the balance of my time.

Ms. JOHNSON of Texas. Madam Speaker, I yield myself the balance of my time.

Let me just simply say, our planet screams out for our help. This is not intended to be a Democratic exercise. It is a stand for a real need to give attention to the climate change we are experiencing that can only get worse without us doing something.

So I extend my hand to the Republican members of this committee to join us and understand that it is not just a political ploy that we are trying to do here, it is time for us to address climate change. We are suffering too much and losing to many unnecessary spent dollars dealing with the situation that we are in now.

The people are depending on us to take the lead and address the problem. So I plead with you, join with us. This is not partisan; it is to save our planet. I ask you to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 4447 is postponed.

□ 1815

HONORING JAMES BENNETT

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

Mr. VAN DREW. Mr. Speaker, I would like to recognize the life of James Bennett.

James was a loved, trusted, compassionate, and hardworking young man. I had the pleasure and honor of knowing him his entire life.

James was as gifted athletically as he was academically, a wrestler who notched 95 wins in high school and was also selected into the prestigious National Honor Society and graduated from Rowan University in south Jersey.

The positivity and the energy that he brought to this world will be missed by everyone who had the pleasure of ever

knowing him. I know that I personally miss him very much.

We all wish we had more time on this Earth with you, James, but know we know that you are looking down on your mom and your dad, your entire family, and your friends, and you are in Heaven right now.

Rest in peace, my friend, and God bless you.

RECOGNIZING LAW ENFORCEMENT OFFICERS

The SPEAKER pro tempore (Mr. GARCÍA of Illinois). Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. ROY) is recognized for 60 minutes as the designee of the minority leader.

Mr. ROY. Madam Speaker, last week, I took some time on the floor here in the House of Representatives to recognize our important law enforcement community and what they mean to the American people and why this body should stand alongside, behind, and in defense of our law enforcement community unapologetically.

Since speaking on the floor last week, I have been, frankly, inundated by emails, Instagram messages, Facebook messages, tweets, phone calls from I think all 50 States. The video from the floor of the House of Representatives has been seen almost 8 million times. I, frankly, was blown away, but it just tells you how many Americans are looking for the leadership of their country to stand by and stand alongside our law enforcement community.

Some of the messages that we received—and this isn't about me, and this isn't about any Member of this body, but these were some of the messages we received.

This was sent to me: ''Your speech about the 43 officers was moving. My father is a police officer. The world would make me feel as though I shouldn't be proud of that, let alone give any support to the police. Thank you.''

Another message: ''Thank you for addressing the 43 law enforcement officers who have been killed this year so far. I am a law enforcement officer's wife for over 20 years. My husband is a phenomenal human being and law enforcement officer. He has spent his life protecting strangers. I won't rant. You know how we are living right now,'' she said. ''I just wanted to thank you for being bold and brave and having his six.''

For the record, I don't consider myself bold or brave. I just consider myself a representative of constituents who share my complete disbelief that this body refuses to take any action, to do anything as a body in unison to defend and stand alongside our law enforcement community.

It is an abject failure by the Speaker of the House of Representatives and this body that we have not passed a resolution; we have not joined together; we have not stood on the steps of the Capitol; we have not done a thing to stand alongside our law enforcement community who keep us safe every day. And I think that is an embarrassment. It is an embarrassment that the people's House refuses to do that.

Another message: ''I start off first saying I am law enforcement, and I want to continue saying thank you for your support. I have watched your C–SPAN video so many times, and it gets me every time. It is just nice to have some people out here backing us.''

Again, this is not about me. I wish there were 435 Members sitting here on the floor right now together, all doing that for these people, for those law enforcement officers.

Another message: ''Thank you, sir, for your speech in the House. We at the Nevada Highway Patrol were rocked by our first line of duty death since 2006. On March 27, 2020, Sergeant Ben Jenkins stopped on a snowy Nevada rural road to help a stranded motorist. After his attempts to get the motorist's vehicle unstuck failed, the motorist pulled out a .308 rifle and shot Sergeant Jenkins in the right shoulder. Sergeant Jenkins retreated to the back of his vehicle, severely wounded, got 'shots fired' over the radio before he collapsed. The suspect walked up to Sergeant Jenkins as he lay in the cold, snowy Nevada highway and shot him in the head. Sergeant Ben Jenkins died doing what any trooper would do when they see a stranded motorist. He would have helped anyone. He lost his life doing it.'' This person said: ''Your speech was impactful. Thank you for being our voice.''

I don't know the race of any of these people. I don't. I don't know the race of the officers. I don't know the race of the perpetrators. I don't know the race of any other victims. I literally have no idea. But these are people from all over the country, thousands calling in, tweeting, checking. They are hungry for a body that is supposed to represent them in the people's House to stand up and just say a simple thank-you. Just say a simple, ''We have got your back.''

Since I spoke just under a week ago, three more officers have been killed in the line of duty. I read all the names of the 43 who have been killed last week. Here are three more: Investigator Luis Mario Herrera, on September 7; Deputy Sheriff Ryan Phillip Hendrix, on September 10; Sergeant Alvin R. Sugranes-LeBron, on September 16.

That means we are up to 46 officers who have been killed thus far in 2020, a 53 percent increase from the same period in 2019.

As I said last week, eight categorized as premeditated murder, two were a victim of unprovoked attacks, eight fatal shots were fired at point-blank range zero to 5 feet from the officer, eight shot in the front of the head, two in the back of the head, six in the neck, nine in the chest.

We have an over 50 percent increase in officers killed in the line of duty, the law enforcement officers who represent the thin blue line between us and anarchy.

My grandfather was the chief of police of Sweetwater, Texas. My great-great-grandfather was a Texas Ranger. I was proud to be an assistant United States attorney working with the law enforcement community.

Where is the people's House? Again, sitting here at 6:23, we had three votes this afternoon in series. We marched in here, we voted. We don't have any debate. We vote, we clean, we vote, we stand out on the steps, and we walk out. And, thus, has been the people's House for the last 190 days.

It is an embarrassment. We are sitting here in an empty Chamber. We haven't passed a PPP extension bill. We haven't done the hard work of trying to make sure our small businesses that are struggling in this environment survive. We sure as heck have not been on the floor of this body engaged in any kind of effort to pass a resolution, to sit here and have a moment of silence, an understanding, a recognition for any member of the law enforcement community.

With all due respect to the other side, where is the Speaker? Where is the Speaker of the House? Last Thursday, after a number of us gave speeches about this issue, after I gave a speech, Speaker PELOSI came down to the floor of the House and said a handful of words: ''We support peaceful demonstrations. We participate in them. They are part of the essence of our democracy.'' She went on: ''That does not include looting, starting fires, or rioting. They should be prosecuted. That is lawlessness.''

Well, congratulations to the Speaker of the House for recognizing the rule of law. The body that passes laws, including our Federal criminal laws, the body that represents the people, all 330 million of them, the Speaker of that body came all the way down to the floor of the House of Representatives to explain to us that she supports the basic fundamentals of the rule of law but did not say a word about law enforcement and backing them up, did not say a word about calling out Antifa or BLM or any organization behind a lot of the activities going on around our country, endangering our communities, burning down stores, wrecking people's lives, putting people in danger, letting people get killed, having officers put in danger.

I read through a number of officers who have been killed throughout this process, and what are we doing?

When we had a debate back in June when it was politicized, Senator SCOTT sent over legislation. Did we have any robust debate about that? No. We haven't had a single vote on an amendment on the floor of the House since May of 2016, and that is an absolute embarrassment.

We have groups of people who sit up in the Rules Committee. They throw down a bill on the floor of the House of

Representatives, and we are supposed to march down here like lemmings, push a button yes or no, and then let leadership go out on the steps and give a press conference.

How is that representation? Where is the Speaker? It is not enough to come down and give lip service for 10 seconds about riots and about how those are lawless but not come down here and actually recognize our men and women in uniform who are serving us in blue across the country.

Or how about our Border Patrol? How about ICE? Many of my colleagues on the other side of the aisle like to go around saying defund ICE, abolish ICE, take away resources from Border Patrol and ICE.

Have they walked a mile in the shoes of the Border Patrol or ICE that I know on the border in Texas, where cartels have operational control of our border still to this day right now? We just had apprehensions of about 45,000 in August, the second highest number in the last 6 years, second only to last year.

Do you know why that number is low right now? Guess. Title 42 protecting our health because of the virus. Our men and women in uniform on the border of the United States serving their country, my colleagues on the other side of the aisle say abolish them, get rid of them, when they are securing the border of the United States outmanned, outgunned. They can't navigate the Rio Grande.

I would invite any of my colleagues to come down along with my Democratic friend HENRY CUELLAR. He and I have cosponsored legislation to clear cane and open roads along the Rio Grande. Why can't we do that? We could do that in a matter of seconds right on this floor and give our Border Patrol and give our ICE agents the ability to actually stop and stem the tide of the horrors being perpetrated by cartels along our border.

We duck our head in the sand and ignore it while little girls get raped and abused on the journey through Mexico; while we find stash houses with 50 people in basements in Houston; while families get held hostage for ransom; while meth comes pouring across our border, fentanyl, cocaine, large quantities, pouring across our border; all while we have been shutting down our way of life, causing people to have extreme mental health concerns and issues and addictions being fed heavily by the Chinese running right up through the gut through Mexico, right into Texas, right into our country, and what are we doing? Playing politics with our border instead of doing what any sovereign nation would do, which is defend the border of the United States for the interests of our community and the migrants who seek to come here, who are being abused, who are being sold into the sex trade, who are being held ransom by cartels.

□ 1830

There is a bloody civil war going on along the border along the Rio Grande, and my colleagues on the other side of the aisle come out and say, ''kids in cages''; they come out and say, ''drinking out of toilets.''

It is just simply not true. I have been to these facilities. We have all been to these facilities. We know it is not true. The Speaker knows it is not true. Yet that is the stated position of my colleagues on the other side of the aisle.

''Kids in cages,'' the very barriers put up by the previous President and the previous President's administration for what? To separate kids, to separate them from other dangerous individuals who may or may not be their family members, people coming across claiming to be their parents. We don't know.

What are we supposed to do, just take them and throw them to the wolves? Or maybe we should have a system for trying to figure it out.

And you go down there and you look and you see what our Border Patrol agents are doing, and you see what our ICE agents are doing: working hard to try to figure it out when you have 900,000 people apprehended in fiscal year 2019.

I didn't make that number up. All right? This is how many people were apprehended. I am not talking about the ones who got away. I am talking about the ones who were apprehended, coming into our facilities, and we have to manage it.

Where is the Speaker? Where is the Speaker for any member of our law enforcement community on the streets in any city in America, Federal, State, or local, Border Patrol, ICE? Where is the Speaker? Completely MIA, wandering around D.C. no doubt raising money for the D triple C or something to go have another political speech, but sure as heck not on the floor of the House of Representatives standing alongside law enforcement.

Let's consider the grand successes of this body of the House of Representatives under Speaker PELOSI.

Proxy voting. For the first time in the history of this body, under the Speaker of the House, this body, led by Democrats, is allowing proxy voting.

Now, for those of you at home, what that means is that you can have a Member, as has happened, vote from a boat—get on a screen, log in, and vote from a boat. That happened.

This body, if you are elected to it, you cannot delegate that which has been delegated to you under the Constitution of the United States, by the people, that sacred obligation to represent them, you cannot delegate that to another. That is plainly and clearly unconstitutional.

I look forward to that question getting to the Supreme Court. I am proud to be a part of litigating that. I look forward to getting it to the Supreme Court so we can actually answer that question.

We don't need the Court to answer it. This body can answer it. It is plainly unconstitutional.

Yet for the first time in our history, we have allowed and enabled proxy voting where a Member of this body can allow somebody else in this body to cast a vote for him or her.

For two centuries, through the yellow fever of 1783, which took out 10 percent of the population of Pennsylvania, the burning of the Capitol during the War of 1812, the Civil War, the Spanish flu of 1918, both World Wars, 9/11, Congress never flinched from its constitutional duty to assemble in the Capital City.

Ten percent of Philadelphia in 1793—think about that—was wiped out. They found a way to meet. They found a way to carry out their solemn obligation.

The Speaker continues to refuse regular order. I have already referred to that. We bypass the committee process, block amendments for every bill, effectively shutting out participation for rank-and-file Members of both parties of the House.

Just yesterday we voted on a continuing resolution to fund government $1.6 trillion, ladies and gentlemen. You are sitting back at home. Yes, another number stuck in front of a trillion—$1.6 trillion.

Your august body, the House of Representatives, representing you, had approximately 20 minutes to review the continuing resolution funding $1.6 trillion of government, busting caps of busted caps already busted.

That is your House of Representatives, ladies and gentlemen, and I don't think you should accept it. I don't think the American people should accept this level of complete incompetence and disgrace that we are seeing on the floor of the House of Representatives.

Twenty minutes.

How about that 72-hour rule? We like that? We adopt the rules every time we come into Congress. Seventy-two hours you must have to read legislation, they say. Does that ever happen? Let's be honest. Does that ever happen? No.

And when you go home and you talk to your constituents, they say: Why is Washington broken?

I say: Because we never sit down at a table, roll our sleeves up, and do the work that you do in your home, that you do in your business, that you do in your nonprofit, that you do in your church to actually balance your budget, to actually make tough decisions.

We never do that.

Democrats and Republicans should be appalled at the way this body has been operating.

We should have debate. We should have votes. We should have amendments.

What are we afraid of? Bring your amendments down. I will vote, and I will go face my constituents and explain why.

And you know what? There will be tough votes, and they will be used against you.

And you know what? That is the process.

I have already mentioned that the Speaker refuses to stand for law enforcement. It took months to even

come down here to condemn the looting and the rioting and the violence, and she still won't condemn BLM or antifa.

In July, the Speaker's response to the chaos on the streets was: ''People will do what they do.''

Well, boy, oh boy, is that blowing the socks off of our law enforcement community getting the great leadership from the Speaker of the House that ''people will do what they do.'' Well, they sure will if we don't stand behind our law enforcement community and stand up for the rule of law.

The Speaker infamously pushed an impeachment inquiry without a vote on the House floor for the first time in history. Now, that has played out. I haven't heard much about impeachment over the last 7 months.

It gripped the Nation, supposedly. I think it gripped the body. I think it gripped half of this body.

We spent 6 months essentially shutting this Chamber down to pursue that inquiry, and now the Speaker is talking about impeachment again.

The Speaker has refused to condemn the blatant anti-Semitism that some in her own party have used, and she herself has referred to Republicans as ''enemies of the people,'' the Speaker of the House.

The Speaker recently referred to the peace agreements, the historic peace agreements between Israel and Bahrain and Israel and UAE—these are massively successful, important peace agreements. She referred to them as ''distractions''—Israel, our great ally in the Middle East.

These were great agreements. This is historic stuff.

There are other countries considering it. Why? Because we led.

We moved our Embassy to Jerusalem, and other countries followed. Why? Because we took out Soleimani.

And what did the Speaker do? She wanted to condemn the President for taking out Soleimani, a murderous thug who targeted American soldiers.

It was great that the President of the United States took out Soleimani.

And now, as I said, the Speaker is threatening impeachment 2.0. Why? Because President Trump is daring—hold on, here it comes—daring to do what every President in the history of this country has done when there is a vacancy on the Supreme Court in the fourth year of their term, every one, 29 times.

That the President would exercise Article II authority to nominate an individual to fill a vacancy on the United States Supreme Court, for that—for that—the Speaker is suggesting we should consider Articles of Impeachment 2.0.

It is facially absurd. It is not an arrow in a quiver. It is facially absurd. It is an embarrassment to this institution. It is an embarrassment to this Congress.

We should have an open and vital debate about all of these issues we are talking about right here, amending, debating, voting. No, no, no. We are going to go rattle that impeachment and go give some press conferences. This is just politicizing the process.

Now, we have seen that before. We have seen this many times before, the politicization of this process.

I was a lawyer on the Senate Judiciary Committee in 2003. I had the great honor and privilege of serving Senator JOHN CORNYN. I spent 5 years as a lawyer on that committee working on a host of issues. One of the issues I worked on was nominations.

Now, you might be asking: Who are these two women?

Well, Judge Janice Rogers Brown was—if my memory serves correctly; I don't have any notes; I am doing this from memory—a supreme court justice in California who was nominated to the Ninth Circuit. Priscilla Owen was nominated to the Fifth Circuit.

Now, in 2003, the Democrats in the United States Senate sought to stop—that is, filibuster—stop their nominations.

Their great crimes? They were conservative women. And in one case, a minority conservative woman. Those were their great crimes in 2003, ladies and gentlemen.

And that is what your Democrats in the United States Senate did: attacking them, tearing them down, blowing up the very process that people are talking about right now, the confirmation process. They attacked them, these two public servants.

I met both of them. Very kind, nice people being ruthlessly attacked for simply being conservative women, or a conservative minority woman.

We can't have that. We can't have those dastardly Republicans appointing someone who doesn't fit the narrative by my colleagues on the other side of the aisle, but yet that is precisely what happened in 2003.

What have we seen since? We saw the complete horror show that was the Kavanaugh hearing 2 years ago, an utter disgrace by Senate Democrats.

But I also remember the 2005 confirmation of Sam Alito. I also was there for the Roberts confirmation.

Ask Justice Alito's lovely wife, Martha-Ann, how she feels about the way her husband was treated, attacked, torn down, vilified through his confirmation proceedings by Senator SCHUMER.

It was vitriolic. It wasn't just highlighting differences of views or judicial philosophy; it was targeting him personally and attacking. But that is the playbook that I have to suggest is the routine playbook for my colleagues on the other side of the aisle in the United States Senate.

Of course, that wasn't the first time. We all know, in 1987, there was a new verb in the lexicon of the confirmation process called borking, because Judge Bork was borked. They took down Judge Bork.

And, again, what was his great crime? He was a constitutional conservative. He was a constitutionalist. That was his great crime.

It took a mere 4 years later for Justice Thomas, in his own words, to receive a ''high-tech lynching.''

□ 1845

I say to the ladies and gentlemen watching, watch the video. It is on my Twitter feed. You can go find it. Google it. Go watch the great biopic. You can go find that on PBS. There is a great documentary on the life of Clarence Thomas who was born into the relative poverty of Savannah, Georgia. He was raised by his grandfather. Read his book, ''My Grandfather's Son.''

A life overcoming many obstacles to end up at Yale, and then to end up at the Supreme Court. And if you remember at his confirmation hearings, what did he say? He said: This isn't worth it for the court at the hearings, when he was being pilloried, his character assassinated. He said, You know what, the Supreme Court isn't worth it.

But you know what was worth it and the reason he came back, and the reason he shoved it right back down the throats of those members of the Senate Judiciary Committee, including, by the way, Chairman Joe Biden, because it was his character. It was his name, the name that he had inherited, and he had from his grandfather that loved him and raised him.

It was his name and he brought that Senate Judiciary Committee to its knees. And we should be grateful for it because he has been an excellent justice on the United States Supreme Court, and he did not deserve the attacks that he got.

Let's talk about the person to the left of Justice Thomas, Miguel Estrada. Does anybody know that name, remember that name? Miguel Estrada is a good human being. He is a good man. He was also a nominee in the Bush administration in 2003, during that same time that I was describing with Janice Rogers Brown and Priscilla Owen, and there were others.

I think there were some 50 that were filibustered during that time. I can't remember. Do you know why Miguel Estrada was filibustered? Ultimately, he was stopped. A deal was cut, and Janice Rogers Brown and Priscilla Owen ended up on the bench. Miguel Estrada was not fortunate.

Miguel Estrada was targeted and stopped precisely because he is Hispanic. That is a known truth in Washington, D.C., but nobody talks about it. Do you know why?

Because of concerns about how a leaked memo was found. It was a leaked memo that was found on a server. It is the stuff that would be great for ethics classes in law school or undergrad about what folders are open and who can look at them and who can see them. It is a reasonable debate.

But the fact of the matter is, there was a memo by Senate Democratic leadership saying we must stop him because he is a Hispanic. I say to the ladies and gentlemen who are watching

this, this is what is wrong with Washington, D.C. And what are we going to see transpire in the coming weeks?

I hope we have a great celebration of Justice Ginsburg's life this week. Obviously, it has transformed very quickly into what is next, but I hope we will stop and celebrate.

But as we go forward, we know what is going to happen. We know it as sure as we are sitting here, as sure as the Sun comes up tomorrow that it doesn't matter who the President nominates. He or she will be attacked viscously, violently.

We certainly know that if Judge Barrett is nominated, she will be attacked viciously. Her faith will be attacked viciously. The fact that she is a proud mom to, I think, seven, of whom I think two are adopted, she will be attacked.

Why is this? It is because we have made Washington, D.C., and its institutions too consequential to the lives of Americans in a country in which we are supposed to live freely.

We have taken issues that you are supposed to work out and debate at the State legislature and the local level and, at most, in this body, in this Chamber, in the Senate, and we have placed them into the hands of nine judges.

So now every June everybody waits with bated breath outside of the Supreme Court Chamber. What great pronouncement shall come down from on high?

Why do we choose to live that way? Why don't we choose to make decisions in this body?

Why don't we the people of this body make Article I great again? Why don't we make Congress work again?

I introduced legislation a year and a half ago called the Article I Act, designed to take power away from the President and expand power here in times of emergencies, so you can't have situations like we have now where over the last 30 years vast numbers of emergencies have just been perpetual. And we still operate and give the executive branch authority to operate under these emergencies, 30 years later. That is facially absurd.

Why don't we fix that? I have had conversations with friends and colleagues on the other side of the aisle who are interested in doing that. Why isn't the Speaker?

Look, I did that with a Republican President in the White House who is trying to secure the border, a proposition with which I agree not just a little, but strongly. It is our job to secure the border of the United States. I fully support the President in securing the border of the United States.

I fully agree that it is an emergency at our border. I fully agree that we need to stop the cartels. I fully agree that we need to protect migrants who are seeking to come here. I fully agree that it is in the best interests of the people of the United States and the people who seek to come here for us to have a simple, secure border.

No one could logically disagree with that statement, by the way. But we don't deal with logic. We deal with grand statements, and emotion, and allegations of kids in cages. But why don't we have a debate?

This Republican introduced legislation in the time of a Republican President that would pull power back from that Republican President because I believe it is in the best interests of this body, this Chamber, the House of Representatives. Why don't we do it?

Do it now, I say to my Democratic colleagues. Don't wait to do it when there is a Democrat in the White House. Let's do it now. It is our job to make Article I great again.

Why do we turn virtually all of our power over to courts and executives? We see it unfolding before our very eyes right now in the course of this pandemic.

What are we doing with respect to the pandemic? What are we doing with respect to COVID?

We launch a $2 trillion missile in April, and we walked away. Now we have executives around the country who are making all sorts of decisions irrespective of what their State legislatures might be doing. We have a lot of power being executed in our Article II executive branch without any checks or balances here because we are not doing our job.

Let's have those debates. Let's bring Scott Atlas, Fauci, Birx, a host of other doctors, let's bring them before this body; not in some random committee with a handful of people on it on a Zoom call. Bring them before this body and let's hear from them and let's cross-examine them. And let's understand what is at stake. Let's make good decisions based on that and let's make sure the American people know the facts.

I happen to be one of those people who believes that we should take this virus very seriously, who has a 77-year-old father who survived polio, and a 71-year-old mother that I want to protect from the virus. I also happen to be somebody who believes that we have scared the bejesus out of the American people in such a way that we are causing them harm.

They are having mental health issues. They are not getting cancer screenings. Suicides are up, addictions are up, and we just bury our head in the sand and go around, and some people on the other side of the aisle scream 200,000, and they think that is an argument when it is not an argument. It is an irresponsible effort to instill panic in the American people for political purposes. And that is precisely what my colleagues on the other side of the aisle are doing.

Why don't we have a debate and have a discussion and bring people forward and determine the facts and share those facts with the American people so we can open our society up again properly, wisely, but open.

I am always mystified while I watch people running around talking about how much we need to be locked down, but they are drinking their bottle of water. Sitting at a hearing today I saw Dr. Fauci drinking his bottle of water. I see people saying we need to stay locked down. They are drinking their Starbucks coffee. I see them stop off and pick up Little Taco in Austin, Texas, or go pick up some food.

Who made it? Who distributed it? Who brought it to them on the curbside service? Who brought them their latte? Who is making their electricity run? Essential workers? Who among us are fine with endangering essential workers in grocery stores and power companies and food service so that some people can pat themselves on the back saying, They are doing a great thing by staying locked down?

Let's study the data, the reports that came out just today from Brown University showing a relatively low transmission rate for some kids in college in our schools. Let's study that data. Let's look at how many are hospitalized. Let's talk about how we are going to achieve immunity. It might be a vaccine. It might be that some of the most healthy members of society continue to engage and operate and we build up immunity.

That is what we do for other things. Let's talk about that, instead of scaring the heck out of the American people.

Mr. Speaker, this is no way for us to do our job. Our job is to represent each and every American and to be here and debate and to vote.

I am going to say one more time, with all due respect to the Speaker of the House, I cannot, for the life of me, understand why this body cannot meet and stand up for our law enforcement.

I cannot understand why this body cannot meet, debate, and vote on a PPP extension bill, or another form of that kind of legislation to make sure our small businesses can survive; the restaurants, the music venues, the wineries, distilleries, breweries, barber shops, hotels—all of the entities that are struggling to survive right now throughout this country.

Where are we? We have been back now after a long hiatus for 10 days-ish, not really. We will be back next week. What are we doing? Let's pass that. Let's stand up with law enforcement. Let's pass a bill to protect our small businesses.

Let's do the basic duty that is incumbent upon us as Members of the United States House of Representatives to represent the people who are asking us to do those things. It is our job. We are asking millions of Americans to do their job while we completely and totally fail to do ours.

Mr. Speaker, we are $27 trillion in debt. It is about to jump to $30 trillion, and we walk around here like nothing is going on. Drugs and narcotics are still flowing across our southern border, and we don't do a thing about it. Law enforcement is getting attacked on the streets—targeted—buildings are

getting burned, streets are in unrest, and we are doing nothing about it.

Mr. Speaker, I will close by just saying, it is an honor to serve in the United States House of Representatives, but this body has got to do better. It is time for this body to do its job. It is time for us to stand up for America.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 967, the House stands adjourned until 9 a.m. tomorrow for morning-hour debate and 11 a.m. for legislative business.

Thereupon (at 6 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 24, 2020, at 9 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 5245, the SHIELD for Veterans Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr.YARMUTH hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 7105, the DELIVER Act, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 7105

	By fiscal year, in millions of dollars—												
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2020–2025	2020–2030
Statutory Pay-As-You-Go Impact	0	106	182	−50	−63	−80	−75	−23	0	0	0	95	−3

Components may not sum to totals because of rounding.

EXECUTIVE COMMUNICATIONS, ETC.

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

5357. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Frederick J. Roegge, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5358. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting authorization of Colonel Jason G. Woodworth, USMC, to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5359. A letter from the Charman of the Board of Directors and Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's FY 2019 actuarial evaluation of the expected operations and status of the PBGC funds, pursuant to 29 U.S.C. 1308; Public Law 93-406, Sec. 4008 (as amended by Public Law 109-280, Sec. 412); (120 Stat. 936); to the Committee on Education and Labor.

5360. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Limited Approval and Limited Disapproval of California Air Plan Revisions; San Diego County Air Pollution Control District; Stationary Source Permits [EPA-R09-OAR-2019-0449; FRL-10013-14-Region 9] received September 14, 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.

5361. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Georgia: Permit Requirements [EPA-R04-OAR-2020-0071; FRL-10013-22-Region 4] received September 14, 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.

5362. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; Feather River Air Quality Management District [EPA-R09-OAR-2020-0180; FRL-10012-89-Region 9] received September 14, 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.

5363. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; VOC RACT for the Wisconsin Portion of the Chicago-Naperville, Illinois-Indiana-Wisconsin Area [EPA-R05-OAR-2020-0030; EPA-R05-OAR-2020-0101; FRL-10011-74-Region 5] received September 14, 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.

5364. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Inpyrfluxam; Pesticide Tolerances [EPA-HQ-OPP-2018-0038; FRL-10011-32] received September 14, 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.

5365. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-propenoic acid, 2-methyl-, polymer with 2,5-furandione and 2,4,4-trimethyl-1-pentene, potassium salt; Pesticide Tolerance Exemption [EPA-HQ-OPP-2019-0549; FRL-10003-65] received September 14, 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.

5366. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Commonwealth of Kentucky: Final Approval of State Underground Storage Tank Program [EPA-R04-UST-2020-0248; FRL-10013-46-Region 4] received September 14, 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.

5367. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration [EPA-HQ-OAR-2017-0483; FRL-10013-60-OAR] (RIN: 2060-AT54) received September 14, 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.

5368. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; Consumer Products Regulations [EPA-R09-OAR-2020-0213; FRL-10013-66-Region 9] received September 14, 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.

5369. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — PM10 Maintenance Plan and Redesignation Request; Imperial Valley Planning Area; California [EPA-R09-OAR-2019-0654; FRL-10014-02-Region 9] received September 14, 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.

5370. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Alabama: Air Quality Control, VOC Definition [EPA-R04-OAR-2020-0170; FRL-10013-41-Region 4] received September 14, 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.

5371. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amendments Related to Marine Diesel Engine Emission Standards [EPA-HQ-OAR-2018-0638; FRL-10013-36-OAR] (RIN: 2060-AU30) received September 14, 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.

5372. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review [EPA-HQ-OAR-2017-0757; FRL-10013-44-OAR] (RIN: 2060-AT90) received September 14, 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.

5373. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's IRB only rule — Concise General Statement COVID-19 Relief under section 45D (Notice 2020-49) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5374. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Concise General Statement COVID-19 Relief under sections 42 and 142(d) (Notice 2020-53) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5375. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's IRB only rule — Concise General Statement COVID-19 Relief Under Section 47 (Notice 2020-58) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5376. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's IRB only rule — Special Funding and Benefit Limitation Rules for Single-Employer Defined Benefit Pension Plans under the CARES Act (Notice 2020-61) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5377. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's IRB only rule — Safe Harbor Explanations — Eligible Rollover Distributions (Notice 2020-62) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5378. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's IRB only rule — Relief for Taxpayers Affected by Ongoing Coronavirus Disease Pandemic, Related to Sport Fishing Equipment and Bows and Arrows Excise Tax Filing and Payment Deadlines (Notice 2020-55) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5379. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final regulations — Treatment of Payments to Charitable Entities in Return for Consideration [TD 9907] (RIN: 1545-BP40) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5380. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Limitation on Deduction for Dividends received from Certain Foreign Corporations and Amounts Eligible for Section 954 Look-Through Exception [TD 9909] (RIN: 1545-BP35) received September 14, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LATTA:

H.R. 8350. A bill to amend title 49, United States Code, regarding the authority of the National Highway Traffic Safety Administration over highly automated vehicles, to provide safety measures for such vehicles, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEAN (for herself and Ms. BLUNT ROCHESTER):

H.R. 8351. A bill to amend title III of the Public Health Service Act to authorize the Secretary of Health and Human Services to award grants to Federally qualified health centers for purposes of conducting mental and behavioral health screenings, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BASS (for herself, Ms. NORTON, Ms. WATERS, Mr. BISHOP of Georgia, Mr. CLYBURN, Mr. HASTINGS, Ms. JOHNSON of Texas, Mr. RUSH, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. DANNY K. DAVIS of Illinois, Mr. MEEKS, Ms. LEE of California, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. GREEN of Texas, Ms. MOORE, Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, Ms. FUDGE, Mr. RICHMOND, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Mr. PAYNE, Mrs. BEATTY, Mr. JEFFRIES, Mr. VEASEY, Ms. KELLY of Illinois, Ms. ADAMS, Mrs. LAWRENCE, Ms. PLASKETT, Mrs. WATSON COLEMAN, Mr. EVANS, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mrs. DEMINGS, Mr. LAWSON of Florida, Mr. MCEACHIN, Mr. HORSFORD, Mr. NEGUSE, Ms. OMAR, Ms. PRESSLEY, and Mr. MFUME):

H.R. 8352. A bill to advance black families in the 21st Century; to the Committee on the Judiciary.

By Mr. CLOUD (for himself, Mr. DUNCAN, Mr. BUDD, Mr. GAETZ, Mr. KING of Iowa, Mr. CHABOT, Mr. KELLY of Mississippi, Mr. ROUZER, Mr. FLORES, Mr. ADERHOLT, Mr. YOHO, Mr. DAVID P. ROE of Tennessee, Mr. GOHMERT, Mr. NORMAN, Mr. BANKS, Mr. MOONEY of West Virginia, Mr. STEUBE, Mr. LAMBORN, Mr. MULLIN, Mr. GALLAGHER, Mr. GIANFORTE, Mr. JOYCE of Pennsylvania, Mr. WILLIAMS, Mr. KUSTOFF of Tennessee, Mr. WALTZ, Mr. TIMMONS, Mr. FULCHER, Mr. MCKINLEY, Mr. BIGGS, Mr. TIFFANY, Mr. MARSHALL, Mr. COLLINS of Georgia, Mr. ARRINGTON, Mr. LAMALFA, Mr. WRIGHT, Mr. WEBER of Texas, Mr. JORDAN, Mr. ALLEN, Mr. BISHOP of North Carolina, Mr. HAGEDORN, Mr. SMITH of New Jersey, Mr. SPANO, Mr. COLE, Mr. KEVIN HERN of Oklahoma, Mr. GROTHMAN, Mr. GUEST, Mr. EMMER, Mr. OLSON, Mr. CARTER of Georgia, Mr. LATTA, and Mr. LUETKEMEYER):

H.R. 8353. A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions; to the Committee on Energy and Commerce.

By Ms. ESCOBAR (for herself and Mr. TAYLOR):

H.R. 8354. A bill to establish the Servicemembers and Veterans Initiative within the Civil Rights Division of the Department of Justice, and for other purposes; to the Committee on the Judiciary.

By Mr. FULCHER (for himself and Mr. SIMPSON):

H.R. 8355. A bill to establish and support advanced nuclear energy research and development programs at the Department of Energy, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. HIGGINS of Louisiana:

H.R. 8356. A bill to direct the Secretary of Homeland Security to establish a task force on deterring and combating intellectual property theft by foreign nations at institutions of higher education and to require such institutions to have in place procedures and protocols to deter and combat such theft, and for other purposes; to the Committee on Education and Labor.

By Ms. JAYAPAL (for herself, Ms. NORTON, Mr. LEVIN of Michigan, and Mrs. HAYES):

H.R. 8357. A bill to ensure access to apprenticeships for underrepresented groups, eliminate barriers and ensure completion of apprenticeships, and invest in successful apprenticeship intermediaries; to the Committee on Education and Labor.

By Mr. MALINOWSKI (for himself and Mr. DIAZ-BALART):

H.R. 8358. A bill to establish the Commission on the Coronavirus Pandemic in the United States; to the Committee on Energy and Commerce.

By Mr. MARCHANT (for himself and Mr. PERRY):

H.R. 8359. A bill to amend the Internal Revenue Code of 1986 to repeal the credit for electricity produced from certain renewable resources, and for other purposes; to the Committee on Ways and Means.

By Mr. PALMER (for himself, Mr. BISHOP of North Carolina, Mr. TIFFANY, Mr. BURGESS, Mr. LOUDERMILK, Mr. HILL of Arkansas, Mr. PENCE, Mr. KEVIN HERN of Oklahoma, Mr. GRAVES of Louisiana, Mr. LUETKEMEYER, Mr. WESTERMAN, Mr. JOHNSON of South Dakota, Mr. WEBER of Texas, Mr. ALLEN, and Mr. NORMAN):

H.R. 8360. A bill to amend title VI of the Social Security Act to modify the restrictions on use of Coronavirus Relief Fund amounts, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEGUSE (for himself and Mr. CURTIS):

H.R. 8361. A bill to exclude EIDL advance amounts from the calculation of loan forgiveness under the paycheck protection program, and for other purposes; to the Committee on Small Business.

By Ms. PORTER:

H.R. 8362. A bill to require senior officials to report payments received from the Federal Government and to improve the filing and disclosure of financial disclosures by Members of Congress, congressional staff, and very senior employees; to the Committee

on Oversight and Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF (for himself, Mr. NADLER, Mrs. CAROLYN B. MALONEY of New York, Mr. YARMUTH, Ms. LOFGREN, Mr. ENGEL, Mr. NEAL, Mr. COHEN, Mr. CONNOLLY, Ms. DEAN, Mr. JEFFRIES, Mr. TED LIEU of California, Ms. PORTER, Mr. RASKIN, Ms. SCANLON, Ms. SPEIER, and Mr. SWALWELL of California):

H.R. 8363. A bill to protect our democracy by preventing abuses of presidential power, restoring checks and balances and accountability and transparency in government, and defending elections against foreign interference, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on the Judiciary, the Budget, Transportation and Infrastructure, Rules, Foreign Affairs, Ways and Means, Intelligence (Permanent Select), and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEUBE:

H.R. 8364. A bill to direct the Secretary of Veterans Affairs to automate third-party health insurance billings and collections of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. THORNBERRY:

H.R. 8365. A bill to study the effects of new construction of obstructions on accurate weather forecasting, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. RUSH, Ms. JAYAPAL, Mr. ESPAILLAT, Mr. DEFAZIO, Mr. NADLER, Ms. BARRAGÁN, Ms. SPEIER, Ms. CLARKE of New York, Ms. HAALAND, Mr. KENNEDY, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Ms. JUDY CHU of California, Mr. GALLEGO, Mr. HUFFMAN, Mr. GRIJALVA, Mr. GARCÍA of Illinois, Ms. DEGETTE, Mr. HASTINGS, Mr. DANNY K. DAVIS of Illinois, Mr. KHANNA, Ms. JACKSON LEE, Ms. LEE of California, Ms. NORTON, Ms. PINGREE, Ms. TLAIB, Ms. SCANLON, Mr. SARBANES, Ms. BROWNLEY of California, Mrs. HAYES, Mr. LOWENTHAL, Mr. WELCH, Mr. POCAN, Ms. ESCOBAR, Mr. THOMPSON of Mississippi, Mr. VARGAS, Mr. COHEN, Mr. NEGUSE, Ms. BONAMICI, Ms. BASS, Ms. MCCOLLUM, Mr. SOTO, Mr. MCGOVERN, Mr. RASKIN, Ms. OMAR, Ms. CASTOR of Florida, Mr. CONNOLLY, Mr. CASTRO of Texas, Mrs. NAPOLITANO, and Mr. BLUMENAUER):

H. Con. Res. 119. Concurrent resolution recognizing that the climate crisis is disproportionately affecting the health, economic opportunity, and fundamental rights of children; recognizing the importance of renewed leadership by the United States in addressing the climate crisis; and recognizing the need of the United States to develop a national, comprehensive, and science-based climate recovery plan to phase out fossil fuel emissions, protect and enhance natural sequestration, and put the United States on a path towards stabilizing the climate system; to the Committee on Energy and Commerce.

By Mr. CLEAVER (for himself and Mr. LUETKEMEYER):

H. Res. 1142. A resolution expressing support for the designation of September 4, 2020, as ''National Polycystic Kidney Disease Awareness Day'', and raising awareness and understanding of polycystic kidney disease; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Ms. SLOTKIN, Mr. SAN NICOLAS, Mrs. HAYES, and Mr. RASKIN):

H. Res. 1143. A resolution recognizing September 2020 as National Ovarian Cancer Awareness Month; to the Committee on Oversight and Reform.

By Ms. HAALAND (for herself and Mr. KHANNA):

H. Res. 1144. A resolution recognizing broadband as a human and civil right for all Americans; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself, Mr. FITZPATRICK, Mr. MALINOWSKI, and Mr. SMITH of New Jersey):

H. Res. 1145. A resolution condemning the poisoning of Russian opposition leader Alexei Navalny and calling for a robust United States and international response; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, Transportation and Infrastructure, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H. Res. 1146. A resolution expressing support for the designation of September 23, 2020, as ''Mary Church Terrell Day'', and calling on Congress to recognize Mary Church Terrell's lasting contributions to the civil rights and women's rights movements; to the Committee on Oversight and Reform.

By Ms. SPEIER (for herself, Ms. LEE of California, Ms. FRANKEL, Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. BLUMENAUER, Ms. WILD, Ms. MENG, Ms. CLARKE of New York, Ms. JUDY CHU of California, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Ms. OMAR, Mr. COOPER, Mr. GRIJALVA, Mr. SHERMAN, Ms. HOULAHAN, Ms. VELÁZQUEZ, Ms. HAALAND, Mr. LOWENTHAL, Mr. WELCH, Ms. SÁNCHEZ, Mrs. LOWEY, and Mr. KENNEDY):

H. Res. 1147. A resolution expressing the sense of the House of Representatives regarding the importance of taking a feminist approach to all aspects of foreign policy, including foreign assistance and humanitarian response, trade, diplomacy, defense, immigration, funding, and accountability mechanisms; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements. are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GREEN of Texas:

H.R. 8340.

Congress has the power to enact this legislation pursuant to the following:

Taxing and Spending Clause: Article 1, Section 8, clause 1—provides Congress authority to, inter alia, enact spending legislation.

Commerce Clause: Article 1, Section 8, clause 3—provides Congress with the power to regulate commerce with foreign nations and among the states, including the use of the channels of interstate commerce, the instrumentalities of interstate commerce, or persons or things in interstate commerce.

Necessary and Proper Clause: Article 1, Section 8, clause 18—allows Congress the power to make all laws that are necessary and proper for executing its enumerated powers and all other powers vested by the Constitution in the U.S. Government.

By Mr. LATTA:

H.R. 8350.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the power . . . ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.''

By Ms. DEAN:

H.R. 8351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. BASS:

H.R. 8352.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. CLOUD:

H.R. 8353.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the people, in accordance with Amendment X of the United States Constitution.

By Ms. ESCOBAR:

H.R. 8354.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

By Mr. FULCHER:

H.R. 8355.

Congress has the power to enact this legislation pursuant to the following:

Article II, Section 8

By Mr. HIGGINS of Louisiana:

H.R. 8356.

Congress has the power to enact this legislation pursuant to the following:

U.S.C. Article I Section 8

By Ms. JAYAPAL:

H.R. 8357.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MALINOWSKI:

H.R. 8358.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States

By Mr. MARCHANT:

H.R. 8359.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Art I Sec. 8 cl. 1, under the ''Power To lay and collect Taxes''; Amd. 16, under the ''power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration''; and Art. I Sec. 8 cl. 18, under the power to ''To make all Laws which shall be necessary and proper for carrying into

Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'

By Mr. PALMER:

H.R. 8360.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 9, CLAUSE 7

By Mr. NEGUSE:

H.R. 8361.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. PORTER:

H.R. 8362.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SCHIFF:

H.R. 8363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. STEUBE:

H.R. 8364.

Congress has the power to enact this legislation pursuant to the following:

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. THORNBERRY:

H.R. 8365.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 141: Ms. SHALALA and Ms. SPANBERGER.

H.R. 497: Mrs. LEE of Nevada.

H.R. 689: Mr. DESAULNIER.

H.R. 770: Mr. GOTTHEIMER.

H.R. 913: Mr. EVANS and Mr. SAN NICOLAS.

H.R. 1043: Mr. ENGEL, Mr. PANETTA, and Mr. MCCAUL.

H.R. 1529: Mr. CHABOT.

H.R. 1532: Mr. SUOZZI.

H.R. 1694: Ms. DEGETTE.

H.R. 1730: Mr. BURCHETT, Mr. HIMES, Mr. WESTERMAN, and Mr. CLEAVER.

H.R. 2079: Mr. BISHOP of North Carolina.

H.R. 2415: Mr. MCNERNEY, Mr. COOPER, Mr. TRONE, and Ms. KAPTUR.

H.R. 2442: Mr. TONKO and Mr. STANTON.

H.R. 2457: Mr. MCGOVERN.

H.R. 2610: Ms. SCHAKOWSKY, Mr. DANNY K. DAVIS of Illinois, Mr. WELCH, Mr. CARSON of Indiana, Mr. COX of California, Mr. LARSON of Connecticut, Mr. SUOZZI, Mr. HIGGINS of New York, and Mrs. HAYES.

H.R. 2808: Mr. DESAULNIER and Mrs. LURIA.

H.R. 2848: Mr. POCAN and Mr. DESAULNIER.

H.R. 2900: Mr. HARDER of California.

H.R. 3378: Mr. SWALWELL of California.

H.R. 3522: Mr. NORMAN.

H.R. 3568: Mr. GOTTHEIMER.

H.R. 3677: Mr. PAYNE.

H.R. 3711: Ms. WASSERMAN SCHULTZ.

H.R. 3721: Mr. PAYNE.

H.R. 3762: Mrs. AXNE and Mr. HICE of Georgia.

H.R. 3975: Mr. FOSTER, Mr. FITZPATRICK, and Ms. DEGETTE.

H.R. 3977: Mr. PERLMUTTER.

H.R. 4078: Mrs. NAPOLITANO.

H.R. 4092: Ms. JAYAPAL and Ms. MCCOLLUM.

H.R. 4150: Mr. JOHNSON of Louisiana, Mr. POSEY, and Mr. BANKS.

H.R. 4172: Mr. GONZALEZ of Texas.

H.R. 4228: Ms. KENDRA S. HORN of Oklahoma.

H.R. 4542: Mr. GAETZ.

H.R. 4570: Mr. AMODEI.

H.R. 4681: Mr. WALBERG and Mr. BISHOP of North Carolina.

H.R. 4705: Mr. LUETKEMEYER.

H.R. 4807: Mr. KIM.

H.R. 5002: Mr. COSTA and Mr. KHANNA.

H.R. 5050: Ms. JUDY CHU of California, Mr. PALLONE, and Mr. PAYNE.

H.R. 5091: Mr. O'HALLERAN.

H.R. 5265: Mr. DEUTCH.

H.R. 5397: Mr. LUCAS.

H.R. 5481: Ms. FINKENAUER and Mr. COX of California.

H.R. 5535: Mr. TIFFANY.

H.R. 5605: Mr. SMITH of Nebraska.

H.R. 5610: Mr. COX of California.

H.R. 5751: Ms. WATERS.

H.R. 5995: Mr. PETERSON, Mr. POCAN, Mrs. AXNE, Mr. SCHRADER, and Mr. CLEAVER.

H.R. 6027: Ms. HAALAND.

H.R. 6053: Mr. HIMES.

H.R. 6164: Ms. LOFGREN.

H.R. 6347: Mr. DESAULNIER.

H.R. 6365: Mr. VAN DREW, Ms. DEGETTE, and Mr. COX of California.

H.R. 6450: Mrs. NAPOLITANO.

H.R. 6458: Mr. DANNY K. DAVIS of Illinois.

H.R. 6581: Mr. TRONE.

H.R. 6597: Mr. GOTTHEIMER.

H.R. 6644: Ms. WASSERMAN SCHULTZ, Mr. DEUTCH, and Mr. CÁRDENAS.

H.R. 6718: Mrs. TRAHAN.

H.R. 6794: Mr. KHANNA.

H.R. 6829: Mr. HUFFMAN and Mr. SMITH of Nebraska.

H.R. 6841: Mr. KIM.

H.R. 6902: Mr. CÁRDENAS.

H.R. 6933: Mr. RUPPERSBERGER and Mr. KIM.

H.R. 6971: Ms. PINGREE.

H.R. 6978: Mr. MOULTON.

H.R. 7187: Ms. FINKENAUER.

H.R. 7231: Mr. RODNEY DAVIS of Illinois.

H.R. 7292: Ms. FINKENAUER.

H.R. 7293: Mr. SAN NICOLAS.

H.R. 7340: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 7402: Mr. POCAN, Ms. OMAR, and Mr. DESAULNIER.

H.R. 7433: Mr. GOTTHEIMER.

H.R. 7497: Mr. GOTTHEIMER.

H.R. 7633: Mr. MCGOVERN, Mr. SEAN PATRICK MALONEY of New York, Mr. HASTINGS, Mrs. HAYES, Mr. DESAULNIER, Ms. WATERS, and Ms. SHERRILL.

H.R. 7688: Mr. GOTTHEIMER.

H.R. 7745: Mr. THOMPSON of California.

H.R. 7747: Mr. COX of California.

H.R. 7777: Mr. LOEBSACK, Mr. WOMACK, Mr. PAPPAS, Mr. JOHNSON of South Dakota, Mr. LONG, Mr. KIND, and Mr. CASE.

H.R. 7809: Mr. STAUBER and Mr. SMITH of Missouri.

H.R. 7819: Ms. SEWELL of Alabama.

H.R. 7823: Ms. STEFANIK and Mr. MOOLENAAR.

H.R. 7843: Mrs. DINGELL.

H.R. 7876: Ms. DEGETTE, Mr. DESAULNIER, Ms. LOFGREN, and Mrs. KIRKPATRICK.

H.R. 7879: Mrs. AXNE, Mr. PAPPAS, Mr. FITZPATRICK, and Mr. SCHRADER.

H.R. 7883: Ms. BONAMICI.

H.R. 7894: Mr. KEVIN HERN of Oklahoma and Mr. HARRIS.

H.R. 7954: Mr. FITZPATRICK, Mr. GRIJALVA, Ms. MCCOLLUM, and Mr. KIND.

H.R. 7964: Mr. COX of California.

H.R. 7970: Mr. HARDER of California, Ms. PORTER, and Ms. ROYBAL-ALLARD.

H.R. 8002: Mrs. NAPOLITANO, Mr. PAYNE, Ms. DELBENE, Mr. CARSON of Indiana, Mr. SMITH of Washington, and Mr. LAMB.

H.R. 8016: Ms. LEE of California and Mr. HASTINGS.

H.R. 8017: Ms. JACKSON LEE, Ms. TITUS, Mr. RUIZ, Mr. COOPER, Mr. CUELLAR, and Mr. DEFAZIO.

H.R. 8025: Mr. JACOBS.

H.R. 8050: Ms. JAYAPAL.

H.R. 8079: Mr. BLUMENAUER.

H.R. 8150: Mr. RUIZ.

H.R. 8152: Ms. BLUNT ROCHESTER.

H.R. 8180: Ms. CHENEY and Mr. STEIL.

H.R. 8181: Ms. SCANLON.

H.R. 8201: Mr. LUETKEMEYER.

H.R. 8250: Mr. PERLMUTTER, Mr. GRIJALVA, Mr. LYNCH, Mr. LUJÁN, Mrs. DEMINGS, Mr. CISNEROS, Mr. CUNNINGHAM, Ms. PINGREE, Ms. SÁNCHEZ, Mrs. WATSON COLEMAN, Mr. COSTA, and Ms. JUDY CHU of California.

H.R. 8254: Mr. BROWN of Maryland, Mr. PERLMUTTER, and Mrs. WALORSKI.

H.R. 8265: Mr. BRADY, Ms. GRANGER, Mr. YOUNG, Mr. GUTHRIE, Mr. HILL of Arkansas, Mr. HUDSON, Mr. AMODEI, Mr. STIVERS, Mr. POSEY, Mr. GALLAGHER, Mr. GREEN of Tennessee, Mr. DUNN, Mr. WENSTRUP, Mr. BILIRAKIS, Mr. GRIFFITH, Mrs. MILLER, Mr. WRIGHT, Mr. MARSHALL, Mrs. BROOKS of Indiana, Mr. FLORES, Mr. CRENSHAW, Mr. CARTER of Georgia, and Mr. LAMALFA.

H.R. 8294: Mr. SAN NICOLAS, Mr. COURTNEY, Ms. FINKENAUER, Mr. MORELLE, Mr. DANNY K. DAVIS of Illinois, Mr. VISCLOSKY, and Ms. WILSON of Florida.

H.R. 8295: Mr. SAN NICOLAS.

H.R. 8298: Ms. NORTON and Mr. SAN NICOLAS.

H.R. 8306: Mr. COOK.

H.R. 8313: Ms. MCCOLLUM.

H.R. 8325: Ms. MENG and Mr. COOK.

H.R. 8333: Mr. HIGGINS of Louisiana, Mr. BALDERSON, Mr. NORMAN, and Mr. RESCHENTHALER.

H.R. 8339: Ms. KAPTUR, Mr. CISNEROS, Ms. NORTON, Mrs. HAYES, Ms. JOHNSON of Texas, Mr. HASTINGS, Mr. DANNY K. DAVIS of Illinois, Mr. COOPER, Ms. WILSON of Florida, and Ms. LEE of California.

H.J. Res. 53: Mr. BROOKS of Alabama, Mr. PERRY, Mr. MCKINLEY, Mr. MARSHALL, Mr. YOHO, Mr. RIGGLEMAN, Mr. WALTZ, Mr. STEWART, Mr. JOHNSON of South Dakota, Mr. KELLY of Pennsylvania, Mr. WEBSTER of Florida, Mr. BUDD, and Mr. CURTIS.

H. Con. Res. 117: Mr. YOHO.

H. Res. 190: Mr. GOTTHEIMER.

H. Res. 452: Mr. GOTTHEIMER.

H. Res. 823: Mr. TAYLOR and Mr. KENNEDY.

H. Res. 825: Mr. CURTIS, Mrs. DAVIS of California, Mr. LEVIN of Michigan, and Ms. WILD.

H. Res. 835: Mr. MORELLE.

H. Res. 1078: Mr. KEATING.

H. Res. 1099: Mr. CASE.

H. Res. 1100: Mr. BERA and Mr. MCGOVERN.

H. Res. 1103: Mr. SAN NICOLAS.

H. Res. 1111: Ms. TITUS, Mr. SUOZZI, Mr. SCHIFF, Mr. SHIMKUS, and Mr. GUEST.

H. Res. 1116: Mr. BARR, Mr. WITTMAN, Mr. SMUCKER, Mr. SIMPSON, Mrs. WAGNER, Mr. SPANO, Mr. VAN DREW, Mr. LAMALFA, Mr. BUDD, Mr. WENSTRUP, Mr. NEWHOUSE, Mr. GREEN of Tennessee, Mr. MAST, Mr. SCHWEIKERT, Mr. MOONEY of West Virginia, Mr. WEBER of Texas, and Mr. MARSHALL.

H. Res. 1118: Mr. DESJARLAIS.

H. Res. 1121: Mr. YOHO and Mr. CARSON of Indiana.

H. Res. 1123: Mr. PERLMUTTER and Mr. JOYCE of Ohio.

H. Res. 1125: Mr. CASTRO of Texas.

H. Res. 1130: Mr. LANGEVIN.

H. Res. 1134: Mr. SAN NICOLAS.

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Senate

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

PRAYER

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

Let us pray.

Gracious God, empower our lawmakers to grow in grace. Make them gentle yet brave, confident yet humble, wise yet dependent on Your guidance. Lord, give them the wisdom to cultivate a faith that perseveres, keeping them from growing weary in doing what is right. Strengthen their ability to see among their colleagues Your divine image. May our Senators increase in favor with You and humanity. Fill them with a passion to live for Your glory.

We praise You for being our helper, and we desire to magnify Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

The PRESIDING OFFICER (Mrs. LOEFFLER). 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.

MULTIEMPLOYER PENSION SYSTEM

Mr. GRASSLEY. Madam President, quite often in our newspapers, you can read about a lot of city and State pension funds that are in trouble. There is one at the national level we have to deal with, so today I speak about the multiemployer pension system problems and the need for reform.

According to the Pension Benefit Guaranty Corporation's annual projections—and those reports were released last week—there is a very big need for reform. That is as important as ever and getting more important every day.

The report estimates that the Multiemployer Insurance Program will become insolvent in 2026. That is a year later than predicted last year, so people might feel a little more comfort, but that is only because we gave relief last year to the mineworkers' plan. What is worse is that insolvency will come at the same time that the Central States Pension Fund will become insolvent, then creating an even bigger strain on the PBGC's insurance fund.

Reaching a bipartisan reform agreement continues to be critically important. I am very encouraged by recent indications from my Democratic colleagues that they are interested in working with us to find a solution—a solution that will strengthen this important part of our retirement system while ensuring that taxpayers aren't left holding the bag again in the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. MCCONNELL. Madam President, 2 days ago, the Democratic leader threatened that if the Senate majority dares to play by the rules and behave like a majority, it would mean ''the end of this supposedly great deliberative body''—''the end of this supposedly great deliberative body.''

Yesterday, we learned what he meant. We saw important Senate business hurt by what amounted to a temper tantrum. For some reason, the Democratic leader decided to vent his frustration by blocking the Intelligence Committee—listen to this—from holding a bipartisan counterintelligence hearing—by blocking the Intelligence Committee from holding a bipartisan counterintelligence hearing.

The committee was set to hear from Bill Evanina, the Director of the National Counterintelligence and Security Center. This is the Nation's top counterintelligence official. Among other things, he works directly on protecting our elections and our politics from foreign interference. That is his job. They were going to hear from him.

This is the same Democratic leader who declared a few weeks ago that if the Intelligence Committee did not stay close to Congress on election security, it would be ''an abdication of [their] duty . . . to protect our democracy.'' Just last week, he wrote me a letter saying election security had to be ''above partisan politics.'' But now the Democratic leader's temper is more important. He denied Chairman RUBIO routine permission for the bipartisan committee to meet. He said: ''[W]e won't have business as usual here in the Senate.''

Today, both the Intelligence Committee and the Armed Services Committee are scheduled to meet. They are set to speak with top intelligence and military officials about election security. I guess we will find out whether the Democratic leader's embarrassing theatrics were just a 1-day matinee or whether he means to make this a series.

Our bipartisan committees have a great deal of work to do to safeguard

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

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our Nation and, in particular, to protect our elections, so I hope our colleague from New York gets out of the way.

But the Democratic leader didn't stop there. A few minutes later, he decided to cheapen a solemn and unifying moment and turned a draft unanimous resolution honoring Justice Ginsburg into one more depressing stunt for the TV cameras.

Over the weekend, I wrote a resolution honoring the late Justice's amazing life. Normally, such measures are adopted with unanimous, bipartisan support. That is exactly what we did after Justice Scalia passed. Every Senator recognized that our collective eulogy was no place to debate political questions—oh, but not this time. This time, the Democratic leader copy-pasted the tribute I had written, put his name on top, and added two divisive references to our debate over what to do next. He didn't devote any time or attention to the language praising Justice Ginsburg's life and career. He did not suggest a single change to any of that. His sole focus was on turning a solemn routine and unanimous moment for Justice Ginsburg into a platform for himself.

Justice Ginsburg could not be more deserving of the honor of a formal Senate tribute. I hope our colleague from New York will let us pass one sometime soon.

SUPREME COURT NOMINATIONS

Mr. MCCONNELL. Madam President, on another matter, I have already talked a lot about history this week, but before we shift focus to President Trump's nominee, we need to review Senate history one more time.

As we await the hurricane of misrepresentations and bad-faith attacks that seem almost guaranteed to pour out, we need to understand, in very clear terms, why our colleague from New York is a uniquely non-credible messenger when it comes to the Senate's role in judicial confirmations.

It was Senate Democrats who began our modern challenges with their treatment of Robert Bork in 1987, but the acrimony really got going in the early 2000s when a group of Senate Democrats took the almost-never-used tactic of filibustering nominations and turned it into a constant routine for the first time ever.

So who was the main driving force behind these tactics? Let's consult some New York newspapers from the year 2003:

> Schumer decided [to] put ideology on the front burner in the confirmation process. . . . ''I am the leader (of the filibuster movement), and you know, I'm proud of it,'' said the senator from Brooklyn.
>
> Mr. Schumer urged Democratic colleagues . . . to use a tactic that some were initially reluctant to pursue, and that has since roiled the Senate.

Throughout President Bush 43's two terms, our colleague built an entire personal brand out of filibustering judicial nominees. Talented, hard-working people's careers were destroyed, like the brilliant lawyer Miguel Estrada, a close friend of now-Justice Elena Kagan, who says he is ''extraordinary'' and ''thoughtful'' and would have made ''an excellent addition to any Federal court.'' People like that, literally, were destroyed by Democratic tactics.

This version of the now-Democratic leader said filibustering judges was an essential part—an essential part—of the Senate. He said that if Republicans ever used the nuclear option to ''change the rules in midstream'' because ''they can't get their way on every judge . . . it'll be a doomsday for democracy.''

But of course, in the very next Presidential administration, the Democratic leader leapt at the chance to press that doomsday button himself. Democrats could not abide by President Obama's being constrained by the same rules they had imposed on President Bush. They had no patience to taste their own medicine. So the Democratic leader suddenly decided that ''the old rules need to be modified.'' He voted to use the nuclear option to lower the bar.

So there actually has been one consistent principle all this time. For the Democratic leader, two things qualify as a crisis when it comes to the courts. The sky is falling when a Democratic President does not get to confirm every last judge he or she wants, and the sky is falling when a Republican President gets to confirm any judge.

Six months ago, our colleague walked across the street to the Supreme Court steps, stood in front of a crowd, and yelled:

> I want to tell you, Gorsuch! I want to tell you, Kavanaugh! . . . You will pay the price! You won't know what hit you if you go forward with these awful decisions!

That is the Democratic leader in front of the Supreme Court of the United States.

Just last night he said this:

> I tell the American people, everything you need and want, just about everything, will be taken away inexorably, month after month, year after year, decision by decision, by this new court.

That is the argument. That is, apparently, the argument. ''Everything you need and want will be taken away.'' Is this a discussion among Senators or an overdramatic line from a bad movie?

The American people do not need any more revisionist history lectures, any more threats, or any more performance outrage from the side that launched this unfortunate fight and escalated it time after time after time.

There is one right path before us. It does right by the judiciary, the Senate, the yet-unnamed nominee, and the American people. It is a fair hearing, a fair process, and a fair vote. That is what the American people ensured in 2018 after the Democratic leader explicitly asked for a referendum on this approach to the judiciary. He got that referendum in 2018. The people decided. They shrunk his minority even further. Americans took care to ensure Senate Democrats could not stand in the way of a fair process. So that is exactly what the Senate will provide.

GOVERNMENT FUNDING

Mr. MCCONNELL. Madam President, now on another matter, yesterday the House passed a government funding resolution on a bipartisan basis. It will now make its way through the Senate.

A few days ago, when House Democrats released their first draft, Republicans immediately spoke out about a huge omission. It intentionally neglected the needs of farm country and rural America. They tried to use our Nation's farmers and ranchers as a bargaining chip.

Fortunately, thanks to the leadership of our colleague Senator ERNST, along with Senators HOEVEN, BOOZMAN, and many other Republican colleagues, we made it clear right away that we would not let Democrats leave farmers behind.

The Commodity Credit Corporation is an essential source of funding for our farmers. For years it has been routinely refilled with bipartisan support, but this year Speaker PELOSI tried to take Middle America hostage for unrelated political brinksmanship.

I am grateful to Senator ERNST and everyone who fought hard to fix the Democrats' bill. Republicans kept the Speaker of the House from adding insult to injury in such a challenging year for rural America.

I know all Members will carefully review the continuing resolution sent over by the House. I am optimistic that, with bipartisan cooperation, we will be able to make law well before the government funding deadline at the end of this month.

MEASURES PLACED ON THE CALENDAR—S. 4653 AND H.R. 8337

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

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

The senior assistant legislative clerk read as follows:

> A bill (S. 4653) to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.
>
> A bill (H.R. 8337) making continuing appropriations for fiscal year 2021, and for other purposes.

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

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

SUPREME COURT NOMINATION

Mr. SCHUMER. Madam President, first, let me thank all of my colleagues who were here until late last night and made such persuasive arguments as to why the new Supreme Court Justice matters so much to the American people, to their healthcare, the working people's rights, to women's rights, to preserving the right to choose, to making sure we have a good green planet, to LGBTQ rights. They did an eloquent job.

I hope America was listening because this nomination matters; it matters to the average daily lives of average Americans. And last night, by holding the floor until the late hours, Democrats made really strong arguments.

I thank my colleagues for doing that.

Madam President, for the third day in a row, Leader MCCONNELL has come to the floor and completely ignored the ''principle'' he established in 2016, when, mere hours after Justice Scalia passed away, Leader MCCONNELL said that ''the American people should have a voice in the selection of their next Supreme Court Justice''—his words: ''The American people should have a voice in the selection of their next Supreme Court Justice,'' referring to the upcoming election.

That election was more than 8 months away. We are now only 42 days away. But the so-called McConnell rule—the supposed principle that the American people deserve a voice in the selection of a Supreme Court Justice—hasn't come up. The Republican leader can't mention it. No wonder he never mentions it. And he sticks to just diversionary, irrelevant remarks in his speeches on the floor instead of addressing the main issue—why he said one thing in 2016 and a different thing now.

Instead, the Senate is forced to suffer these tortured explanations and misleading precedents. At a press conference yesterday, here is how the Republican leader described the Senate role in confirming the Supreme Court Justices. He actually said: ''[W]e have an obligation under the Constitution [to consider a Supreme Court Justice] . . . should we choose to take advantage of it.''

Did you catch that? Did you catch that? It is an obligation, but only if the Republican leader chooses to take advantage of it. I see. So, when there is a Democratic President, it is one of those obligations you don't have to take advantage of, but when there is a Republican President, it is a solemn constitutional duty.

Are we really supposed to swallow the argument that, when the Senate and the President are of the opposite party, one rule applies, but when they are of the same party, a different rule applies? I didn't hear that right after Scalia died when Leader MCCONNELL explained why he was holding it up.

So this idea that when it is one party, one rule applies and another party, a different rule applies, we have a term for that. It is called a double standard.

If the leader really wants to discuss precedent—real precedent, not fiction—we can dispatch with that conversation in about 30 seconds.

Madam President, I have a parliamentary inquiry for the Chair: Is there a Senate precedent for confirming a Supreme Court nominee between July and election day in a Presidential year?

The PRESIDING OFFICER. Materials from the offices of the Secretary of the Senate do not show such a precedent.

Mr. SCHUMER. Thank you, Madam President.

July is long gone. August is over. We are now at the end of September. As you just heard—not from the Democratic leader but from the records in the Senate, as spoken by the Chair, there is no, no, no precedent for confirming a Supreme Court Justice between July and election day. The Republican leader can come up with arguments that twist things, that jump through hoops, but it doesn't gainsay no, no, no precedent for any Supreme Court nominee being confirmed between July and election day. As you know, July is gone. August is over. We are now at the end of September. It is 6 weeks before an election in which some people have already begun to vote.

Simply, my Republican friends have no ground on which to stand—none.

There is no logic to excuse flipping their position 4 years apart, under the same circumstances. There is no justification for the Senators who said on the record that they would ''say the same thing if a Republican president were in office''—''say the same thing if a Republican president were in office'' they said then, but it doesn't apply now that we have a Republican President in office. There is no defense for the Senator who said: ''Precedent set. Precedent set. I'm sure come 2020, you'll remind me of that.'' There is no place to hide for the Senator who said: ''You can say that I said, let the next president decide. Hold this tape. I want you to use my words against me.''

Why are Senate Republicans going to such extreme lengths to ram through a Justice weeks before an election, making a complete mockery of their previous ''principle''? Why are they committing a power grab so egregious that it risks shredding the last vestiges of trust that remain between our two parties? For what? Because this is the only way for Republicans to achieve their radical, rightwing agenda—an agenda so far away from where average Americans think, even average Republicans, that they wouldn't dare bring such things on the floor of the Senate.

Unable to thrust comically unpopular positions on the American people through Congress, they have to try through the courts—a cynical strategy that dates back to the 1950s.

Republicans are sick and tired, for instance, of this annoying law, the Affordable Care Act, and that it keeps providing healthcare to millions of Americans. They tried to repeal it in the House just about a million times, and they tried here, too, in the Senate but failed by one vote. So now they have taken it to the courts.

President Trump and Republican attorneys general are suing right now to eliminate the entire law, including protections for up to 130 million Americans with preexisting conditions. In fact, President Trump is meeting with those Republican attorneys general at the White House today, this afternoon. Less than a week after Justice Ginsburg's passing, the President is meeting with the leaders of the Republican lawsuit against our healthcare law. Ostensibly, it is about how social media companies are biased against conservatives, but who wants to bet that the healthcare lawsuit doesn't come up? I would like for someone to ask them that.

If he cared about healthcare and the American people, President Trump himself would ask the AGs to withdraw their lawsuit. I am calling on him to do it right now. I doubt he will, given his record, given his lack of concern for the American people's healthcare, but he should. But, unfortunately, let's remember, President Trump already told the American people his goal. He said: ''My judicial appointments will do the right thing, unlike Bush's appointee John Roberts, on ObamaCare.''

He is about to make a Supreme Court pick while there is an ongoing lawsuit that seeks to eliminate the Affordable Care Act. Hear that, America? The healthcare law you want, the healthcare law you need, the healthcare law that protects you against overreaching insurance companies that will not give you insurance when you have a preexisting condition—President Trump has said he will appoint a nominee who will undo it, and we know he said it because of what he said about Justice Roberts when Justice Roberts opposed his view on healthcare.

Guess when the case is being heard in the Supreme Court, America. November 10, a week after the election. Is that why Senate Republicans are in such a rush to get a new rightwing Justice confirmed before the election—so that the Supreme Court can do what they failed to do here in the Senate—repeal this healthcare law, which protects so many Americans?

Leader MCCONNELL slammed on the brakes while tens of thousands of Americans died from COVID, and now he is slamming his foot on the gas to approve a Supreme Court Justice who could rip away Americans' healthcare in the middle of a pandemic. Shame. Shame.

For 4 months, the Republican majority delayed a COVID-relief package while the Nation suffered, but 1 hour—1 hour—after the news of Justice Ginsburg's passing broke, Leader MCCONNELL said ''batten down hatches, we're full steam ahead'' on confirming another rightwing Justice—a Justice who could undo Ruth Bader Ginsburg's legacy; who could rip away healthcare from millions of American families; who could decide there is no more right to choose for millions of American women—Roe v. Wade hangs in the balance here; who could crush unions for millions of American workers; who could make it harder to vote for millions of African Americans; who could end marriage equality for millions of LGBTQ Americans, like my daughter and her wife, who looked at each other this weekend and wondered, is our marriage on the line?

Average Americans are thinking, what are they going to lose with this new, hard-right, special interest-dominated Supreme Court if—if—our Republican friends have their wish, which we are going to fight every step of the way? The stakes of this election, the stakes of this vacancy concern no less than the future fundamental rights of the American people.

My friends on the other side will tell you that we are being hysterical, that they actually support protections for Americans with preexisting conditions. That is hysterical? Ask the mother whose son or daughter has cancer and can't get insurance and watches their child suffer. That is not being hysterical; that is doing what we are supposed to do, not what the folks on the other side are doing—rushing through a Justice who, in a very strong likelihood if that Justice gets approved, would rip healthcare away from the American people.

America, you have to ask yourselves, if Republicans will completely reverse themselves on a major principle whenever it suits them, what can you trust them on? How can you take their word seriously?

Republicans have praised the legacy of Justice Ginsburg with flowery words about her impact, but in the resolution I offered yesterday, they even didn't want to acknowledge her dying wish that she not be replaced until the next President is installed.

President Trump had the gall, the temerity, the baseness to suggest her dying words were not issued by her. How low can the President go?

Senate Republicans are working with every fiber of their being to confirm a Justice—despite her last wish, in contradiction to her dying, most fervent wish—who will reverse her legacy. This is not speculation. This is not hyperbole. President Trump has said again and again and again that he wants the Supreme Court to ''terminate'' the healthcare law. He made it clear he has a litmus test: Any Trump nominee must want to strike down Roe v. Wade.

For once, Republicans should be straight with the American people. They are fighting to reverse Justice Ginsburg's legacy, not honor it. All of their speeches of praise run totally hollow and are belied by their actions.

America, you can't trust them at their word. You can't trust them to protect your healthcare, and you definitely can't trust this Senate Republican majority to protect you.

JOHNSON REPORT

Mr. SCHUMER. While the rest of the country was busy fighting COVID, Senate Republicans have been abusing the power of the Senate to conduct opposition research for President Trump's campaign.

This morning, the chairman of the Homeland Security Committee released his report, which reads as if Putin wrote it, not U.S. Senators. The bogus narrative of this report, peddled by a Russian disinformation campaign, was disproved by every witness who testified. Despite their zeal to smear Vice President Biden and his family, Senate Republicans found no evidence—no evidence—to support the conspiracy theories pushed by Putin's intelligence agencies.

Senators GRASSLEY and JOHNSON should reimburse taxpayers for the money they wasted. This entire disgraceful affair and the Johnson report should be relegated to the dustbin of history.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

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 senior assistant legislative clerk read the nomination of John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The majority whip.

SUPREME COURT NOMINATIONS

Mr. THUNE. Madam President, I don't think anyone is surprised that Democrats have not reacted well to the idea that President Trump will nominate a third Supreme Court Justice. After all, overreacting to Republican nominees is pretty much the Democrats' stock-in-trade. It doesn't matter who the nominee is. To hear the Democrats tell it, any Republican nominee is likely to bring about Armageddon.

The fact that some Republican nominees in past years, and as recently as this past June, have sided with the liberal wing of the Court more often than I would like has not in any way restrained Democrats' hysteria each time a new Republican nominee is introduced.

I thought we had reached a low point 2 years ago with the nomination of Justice Kavanaugh, who suffered months of character assassination at the hands of Democrats, but it turns out that was not the low point because we have reached a new low.

As I said, it is no surprise the Democrats have reacted with hysteria at the prospect of President Trump nominating another Supreme Court Justice. It was disappointing—but hardly surprising—that yesterday the Democratic leader blocked a key Intelligence Committee hearing on election security, a topic he has repeatedly insisted is of overwhelming importance, to protest the thought of the Senate fulfilling its advice and consent role and confirming a principled, conservative woman. Even Speaker PELOSI's overwrought statement that Republicans are ''coming after your children,'' seemed pretty much par for the course.

Democrats have not limited themselves to temper tantrums. No, Democrats have moved on to threats. Dare to confirm the President's duly nominated nominee, Democrats are now saying, and if we win back the majority in November, we will eliminate the legislative filibuster and pack the Supreme Court.

In other words, if Republicans dare to fulfill the Senate's role of advising and consenting to the President's nominee, Democrats will upend our democratic institutions. They will eliminate the legislative filibuster, which is the Senate rule that helps ensure legislation that passes the Senate has to be at least somewhat bipartisan.

And they will pack the Supreme Court. For those who need a brief refresher on the concept of court packing, which had been largely consigned to the dustbin of history nearly a century ago, the theory is as follows: If the Supreme Court is not deciding cases to your liking, add more Justices to the Court until you start getting the decisions that you want. In other words, let Republicans dare to fill the vacant slot on the Supreme Court, and Democrats will keep adding Justices to the Court until they can be assured they will get the outcome they want in every case.

Yesterday, I referred to those Democrats as undemocratic. Why did I say that? They are inconsistent with democratic government. In our system of

government, you win some and you lose some. While it is no fun when you lose, that is how things sometimes go in a democracy. Have Republicans been enthusiastic when Democrat Presidents have had nominees confirmed to the Supreme Court? No, but have Republicans suggested that Democrat Supreme Court Justices are illegitimate? Have we suggested that the proper response to a Democrat Supreme Court nominee is to pack the Supreme Court with additional Republican Justices to get a rubberstamp for Republican priorities? No, of course not.

While we may not like it when Democrats are in charge, we know that Democrat-run government is legitimate, just as Republican-run government is legitimate. It has become clear over the past few years—especially over the past few days—that Democrats think government is legitimate only when they are in charge. So Democrats are accusing Republicans of undermining our institutions by fulfilling our constitutional role because that is exactly what we are doing: fulfilling our constitutional role.

Let's be very clear about that. Republicans are suggesting that we take up a Supreme Court nominee duly nominated by a duly elected President and confirm that nominee in accord with our constitutional advice and consent role.

Democrats are free to think that Republicans should not consider this nominee, but it is absolutely indisputable that Republicans and the President are doing nothing more than carrying out a legitimate constitutional prerogative.

What Democrats are doing, on the other hand, is trying to ensure that only one party has a say in our government—what some might call tyranny—and threatening retribution for the exercise of legitimate constitutional prerogatives. That does pose a danger to our institutions.

Take the Supreme Court. A year ago, several Democrats warned that the Court's nonpartisan reputation was in jeopardy. Their argument was that the Court would look partisan if it did continue with a case the Democrats didn't like. What on Earth do Democrats think will happen to the Court's reputation if they pack the Court with additional Democrats to rubberstamp their policies? Do they really think Americans are going to see the Supreme Court as legitimate once it has been hijacked for partisan Democratic purposes?

If you believe in our system of government, you have to believe that all Americans—not just those who agree with you—have a right to have a voice in the government. You are free to vehemently disagree with 50 percent of your fellow Americans. You are free to dislike it when your party is not in charge. You are free to fight fiercely for the policies and candidates you believe in. But what you cannot do without undermining our entire system is suggest that government is legitimate only when your party is in charge.

If Democrats continue along this dangerous trajectory, if they continue to try to delegitimize the actions of a duly elected Senate majority and a duly elected President, they are the ones who will put our entire system at risk.

If anyone wonders for a moment whether Democrats are advocating a principled position—if perhaps Democrats really think it would be best for our country to eliminate the legislative filibuster Democrats have used so often or to expand the Supreme Court—one can simply ask whether Democrats will continue to advocate for these positions if President Trump is reelected and Republicans retain control of the Senate. Think about that one. I think everyone here knows what the answer to that question is, and the answer is no.

As I suggested, Democrats' threats are not going to stop Republicans from carrying out our constitutional role in considering the President's nominee. One of the principle reasons that many GOP Senators, myself included, ran for office in the first place was to confirm principled judges to our courts—judges who understand that their role is to interpret the law, not make the law.

While many of my Democrat colleagues would like the courts to impose their policies when they can't push them through Congress, Republicans know that legislation should come from Congress and not from the courts. The job of judges is to interpret the law as it is written, not to oppose Democrat or Republican policies from the bench.

My colleagues and I were elected and reelected, in part, because of our commitment to confirming judges who would uphold the Constitution and the rule of law. We have followed through on that commitment over the past 4 years, and we are going to keep following through by voting on the President's nominee.

Democrats can bluster. They can threaten. They can throw temper tantrums. But we will keep doing what we were sent here to do.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AGRICULTURE

Mr. HOEVEN. Mr. President, we are here to talk about agriculture. We are here to talk about those great farmers and ranchers who feed this country and feed the world.

You know, when we talk about good farm policy, we are talking about something that benefits every single American every single day because our farmers and ranchers produce the highest quality, lowest cost food supply in the history of the world that benefits every single American every single day. That is just how important it is. How could we be reminded even more so right now than during this COVID pandemic of that abundant, safe, wonderful food supply that we have every day thanks to our farmers and ranchers, and there is so much that goes into it.

As the Presiding Officer well knows, with Nebraska as his State and its being a big part of the incredible ag production in this country—as a matter of fact, there could be a little rivalry here with his contiguous State to the north in terms of cattle production or something like that—this is something that touches everybody every day and is so important.

It is not just those farmers and ranchers who produce that food every day; it is the whole supply chain that has to work. Remember, that food supply has to be safe every day, not only tasty and affordable and abundant, and that is what we are talking about. This has become a big, big issue in the continuing resolution that we are working on right now in that the way we are funding the coronavirus food assistance programs, in part, is with the direct funding that we secured in the CARES Act and also from what they call the CCC, the Commodity Credit Corporation. With regard to the farm bill—the bipartisan farm bill that has incredibly strong support on both sides of the aisle in this body and the House—many of its very key programs are funded by the Commodity Credit Corporation. We put about $30 billion a year into that fund every year to make sure that those programs are funded to support our farmers and ranchers.

That was not in the original House version that was going to be filed, so a group of Senators from ag States came together last week and had a colloquy in this body. They immediately went to work with our friends in the House who are also strong supporters of agriculture and now the continuing resolution that has passed the House overwhelmingly, which we will be taking up, has that key funding in it.

So we are really here to, once again, emphasize the importance of making sure we fund these farm programs, to make sure that we fund them in a timely way, and, again, to point out very clearly that this is funding that is being used expressly the way it was authorized to be used both in the overwhelmingly bipartisan farm bill we passed—the 5-year farm bill—but also in the CARES Act, in which we secured additional funding. Now the funding that is included in the continuing resolution is exactly that funding that we put out there every year to make sure this farm bill is provided on time.

It could not be more important than this year, when not only are our farmers and ranchers fighting COVID but

when they are fighting low commodity prices, challenges in the world of trade in their being targeted by China, fighting challenges of tough weather, and on top of that, COVID. So, again, we have to be there for them.

I thank the Members of the Senate and the House who worked very hard on this and the farm group, and I am going to kind of run through this whole roster here in a minute.

Before I do that, I turn to the senior Senator from South Dakota—our whip here in the Senate and somebody who has worked on behalf of agriculture his whole life—and ask him for a few of his comments.

Mr. THUNE. Mr. President, I say to my colleague from North Dakota how much we appreciate his leadership. He is a relentless advocate for the farmers and ranchers of North Dakota and across this country. We share a border, but we also have a lot of commonality in the people whom we represent. They are hard-working people who work from dawn to dusk to feed not only this country but the world.

It has been no easy task being in agriculture during these last few years for lots of reasons, as my colleague from North Dakota has pointed out, whether it be from, of course, most recently, COVID, but also from chronically low and depressed commodity prices, coupled with bad weather, coupled with trade disputes, and difficulties with markets here and around the world. Farmers and ranchers have had a tough and difficult road these past few years, so it is critically important that we continue to be there for them.

As my colleague from North Dakota pointed out, there was a concern because what we had heard initially would be in the continuing resolution that was coming over from the House—that will fund the government and that we will pass, hopefully, later this week in the Senate—was not going to include funding for agriculture and for all of those programs that keep ag running that we authorized in the farm bill.

A key Member of the House Agriculture Committee, Senator BOOZMAN, of Arkansas, who is also a key member of that committee—in fact, he is somebody we hope to be the next chairman of that committee—and the current chairman of our authorizing committee, Senator ROBERTS, of Kansas, who, I think, will be down here in just a few minutes, all played an important role, along with the ag community. All of the organizations that Senator HOEVEN is going to talk about engaged right away when they realized what was happening, and we were able to work together to solve that.

Now we will consider on the floor of the Senate the continuing resolution to fund the government that does include funding for the Commodity Credit Corporation, which provides the funds that keep all of those agricultural programs that we authorize when we do a farm bill. The last farm bill was in 2018, and we were all involved with that. It would keep all of those programs funded, and that is critically important. It has never been more important than it is right now in our coming out of the pandemic. Food security is an absolutely essential priority. It should be for our country, and it certainly should be for the Members of Congress in both the House and the Senate.

I thank my colleague Senator HOEVEN. As I said, he is a strong, strong voice for our agricultural producers. When he and I and those from Arkansas and Kansas and Nebraska—those of us from farm country—work together and put together coalitions at times like this, it is only due to that advocacy we have heard from Senator HOEVEN and others that has enabled us to be successful.

I am glad that we have gotten the right outcome here, and it is something to celebrate. Obviously, our farmers and ranchers across the country are going to be, I think, enormously grateful that we have been able to get this problem resolved.

I thank the Senator for his leadership, and I look forward to continuing to work with my colleagues on those issues that are important in farm country that will help our farmers and ranchers not only survive but, hopefully, prosper into the future.

Mr. HOEVEN. I thank the Senate's majority whip for all of the work he has done.

Again, he works for farmers day in and day out. He comes from South Dakota, which is a strong farming and big ranching State. He was instrumental in this effort, not only by his joining us last week in the colloquy but then by engaging in the negotiations as part of our leadership time, along with our majority leader, who held fast on this.

I have to tell you that, as we negotiated back and forth with the House, our leadership—Senator MCCONNELL, Senator THUNE, and others—held strong in saying: No, this is something that must be in the continuing resolution. Also, the administration—the President and the White House—was involved in this negotiation and held fast on this as well.

This is one of the last pieces of the puzzle to come into place, but it is so very important that we have gotten it. As I say, we had seven Senators down on the floor last week who were talking about it, and those seven Senators were led by our Ag chairman, and I will I ask him to make a few comments as well.

Again, let me thank those other Senators who have joined and will join us—Senator THUNE, from whom you just heard; Senator BOOZMAN, from whom you will hear in just a minute; Senator ERNST, of Iowa; Senator FISCHER, of Nebraska; and Senator HYDE-SMITH, of Mississippi. All have strong ag backgrounds. I mean, they are people who not only work on behalf of agriculture but who are involved in agriculture. They are not just here, advocating for it—they live it. It is a great group.

They have also reached out to so many in the House, to the farm groups, to the commodity groups, and to the ag groups, which I will talk a little bit more about later.

Let me turn to our Ag chairman, who, though still a relatively young man, has been in the House and the Senate for many years and has always been a tireless advocate for agriculture. He is a marine—once a marine always a marine. Semper Fi. He brings that attitude—that marine, you know, ''never turn back and never let up'' attitude—and makes sure that he does everything he can on behalf of our farmers and ranchers.

I yield to the chairman.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. I thank the distinguished Senator for his comments. I appreciate the shout-out for the U.S. Marine Corps and to all of us who are marines.

The Marine Corps taught me one thing, and that was that I could always do more than I thought I could. This is a good example of what happens when we work together as a team—when we work with our colleagues across the aisle—when we see a real problem that has come up.

This was a situation for which I wanted to express my gratitude to all of the Members who joined together to provide certainty and predictability. This is what we sold the farm bill on—certainty and predictability. We had a situation that we faced, and it was really difficult to understand how this came about, but that is not the news today. The news today is good news in that we reached a compromise and found agreement to replenish the CCC, the Commodity Credit Corporation, in the continuing resolution, absent some of the barbed wire that was in there.

I especially want to thank more than 40 agriculture organizations, and I have the letter right here. I know both Senators who are in attendance here, as well as Senator THUNE and everybody concerned, are aware of it. It is to Majority Leader MCCONNELL, Speaker PELOSI, Leader SCHUMER, and Leader MCCARTHY. It is from 47 different farm organizations and commodity groups that speak for, I think, virtually every farmer, rancher, and grower in the country. So I give thanks to the 47.

I ask unanimous consent to have printed at this point in the RECORD this letter, dated September 15, 2020, from 47 farm organizations and commodity groups.

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

SEPTEMBER 15, 2020.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
House of Representatives,
Washington, DC.
Hon. CHARLES SCHUMER,
U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, SPEAKER PELOSI, LEADER SCHUMER AND LEADER MCCARTHY: As Congress assembles a continuing resolution to extend government funding, we respectfully ask that you provide the U.S. Department of Agriculture (USDA) with the resources necessary to continue assisting American farmers and ranchers. To that end, reimbursement for the Commodity Credit Corporation (CCC) must be included in any measure to keep government operating past the current fiscal year.

For decades, CCC has been regularly replenished to fund programs integral to the farm safety net that Congress has worked tirelessly to craft. Producers count on programs like Agriculture Risk Coverage, Price Loss Coverage, Dairy Margin Coverage, Marketing Assistance Loans, conservation programs, and many others as they provide food, fuel and fiber for our nation. Without immediate CCC reimbursement, payments and programs would be significantly delayed, jeopardizing operations across the country.

More than ever, farmers and ranchers need the certainty and support provided by farm programs. Low commodity prices, unjustified retaliatory tariffs, natural disasters, and a global pandemic have placed a tremendous burden on farm country. USDA's most recent farm income projections forecast that cash receipts will be at their lowest level in more than a decade. Coupled with rising farm debt and a decrease in working capital, producers face challenges not experienced in decades.

As the industry continues to endure hardships during this unprecedented time, we urge you to include CCC reimbursement in a continuing resolution. Thank you for your consideration and continued efforts on behalf of American agriculture.

Sincerely,

Agricultural Retailers Association, Amcot, American Agri-Women, American Cotton Producers, American Cotton Shippers Association, American Dairy Coalition, American Farm Bureau Federation, American Pulse Association, American Sheep Industry Association, American Soybean Association.

American Sugar Alliance, Association of Equipment Manufacturers, Cotton Growers Warehouse Association, Cotton Warehouse Association of America, Crop Insurance Professionals Association, National Association of Wheat Growers, National Barley Growers Association, National Cattlemen's Beef Association, National Corn Growers Association, National Cotton Council.

National Cotton Ginners Association, National Council of Farmer Cooperatives, National Farmers Union, National Milk Producers Federation, National Sorghum Producers, National Sunflower Association, Panhandle Peanut Growers Association, Plains Cotton Growers, Inc., Produce Marketing Association, Rural & Agriculture Council of America.

Society of American Florists, Southeastern Cotton Ginners Association, Southern Cotton Growers, Southwest Council of Agribusiness, U.S. Canola Association, U.S. Cattlemen's Association, United Egg Producers, United States Peanut Federation, US Rice Producers Association, USA Dry Pea & Lentil Council, USA Rice, Western Peanut Growers Association.

Mr. ROBERTS. Mr. President, if we had not done this, it would have resulted in delays in the 2018 farm bill programs—the one that we passed here with 87 votes—and the ability farmers would have with the risk management tools.

I would just simply point out that no matter what they grow or where they live, farmers, ranchers, and growers have done their part to ensure that our Nation's food, fiber, and fuel supplies continue without disruption during these unprecedented times. They are counting on the Department of Agriculture—and, for that matter, the Congress—to deliver a range of agriculture, nutrition, conservation, and forestry programs.

More than 50 of these programs—here is the list—were in danger because of the uncertainty in replenishing the CCC funding and then due to some of the add-ons with regard to policy being difficult to understand. Well, they are easy to understand, but it is bad policy, bad precedent.

We have put the Secretary of Agriculture in a very bad position in that he has announced the specifics of this program. I would urge all of my colleagues—more especially my colleagues across the aisle who have expressed great concern as to what is in this latest program and what isn't—to get on the phone, and I will get on the phone with the Secretary. I know that Senator BOOZMAN and Senator HOEVEN will do the same. We all have concerns as to how this is going to work, and that has been true with all of the programs prior to this one. That is the way to express our concern with regard to getting something done.

I do want to point out that my colleagues across the aisle, under the banner of nutrition programs—the SNAP program in particular, school lunches, et cetera—did point out that we had some real deficiencies with regard to keeping our commitment to these programs, more especially with COVID–19. I understand that, so that was included. That is really what we are all about here—working in a bipartisan fashion on behalf of farmers, ranchers, and growers in agriculture. That is what we have always done on the committee.

I thank my distinguished ranking member, and I thank everybody who brought this thing together.

As the chairman of this committee, we were successful. As I indicated, in a bipartisan manner, we—87 Members of this Chamber—voted in favor of this legislation. These were some of the programs that were threatened: price loss coverage, agriculture risk coverage, and marketing assistance loans. If you just go down the list of everything farmers were depending on, all of a sudden, it was up in the air. Why that was true I am not quite sure, but this shows the extent of the damage that could have been done with the original request in the CR without the CCC funding.

I ask unanimous consent to have printed at this point in the RECORD a list of these programs that were in danger.

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

PROGRAMS FUNDED THROUGH CCC

Price Loss Coverage; Agriculture Risk Coverage–County; Agriculture Risk Coverage–Individual; Marketing Assistance Loans; Economic Adjustment Assistance for Upland Cotton; ELS Cotton; Payment Limitations and Actively Engaged (commodity certs, separate peanut payment limit, marketing loan; Sugar Loans; Electronic Warehouse Receipts; Dairy Margin Coverage.

Dairy Indemnity Payment Programs; Milk Donation Program; Noninsured Crop Disaster Assistance Program; Feedstock Flexibililty Program; Biofuels Infrastructure Program; Biobased Market Program; Biorefinery Assistance Program; Bioenergy Program for Advanced Biofuels; Rural Energy for America Program; Export Credit Guarantee Program.

Agriculture Trade Promotion Program (Market Access; Program, Foreign Market Development Program, Emerging Markets Program, Technical Assistance for Conservation Reserve Program; Agricultural Conservation Easement Program; Conservation Stewardship Program; Voluntary Public Access and Habitat Incentive Program; Environmental Quality Incentives Program; Regional Conservation Partnership Program; Emergency Assistance for Livestock, Honey Bees, and Livestock Forage Disaster Program; Livestock Indemnity Program; Tree Assistance Program.

Facility Guarantee Program; Food for Progress Program; Quality Samples Program; The Bill Emerson Humanitarian Trust; Wool Apparel Manufacturers Trust Fund; Pima Cotton Trust Fund; Citrus Trust Fund; APHIS efforts for emergency plant and animal disease; Local Agriculture Market Program; Organic Production and Market Data Initiatives.

Organic Agriculture Research and Extension; Small Watershed Rehabilitation; Feral Swine Eradication and Control Pilot; The Gus Schumacher Nutrition Incentive Program; Specialty Crop Block Grant Program; Animal Disease Prevention and Management Program; Wool Research and Promotion; Farming Opportunities Training and Outreach; Beginning; Farmer and Rancher Development Grant Program; Emergency Food Assistance Program; Food for Peace Program.

Mr. ROBERTS. Mr. President, finding a bipartisan solution to replenish the CCC and to provide much needed certainty and predictability for all reasons, all crops, all farmers, and all ranchers, I, again, appreciate the efforts of my colleagues and those who represent them—the Nation's farmers, ranchers, growers, rural stakeholders, everybody in rural and small-town America, and their lenders, who could not believe what we were about to face with pulling out the CCC funds with regards to the CR, or the continuing resolution, to keep our government running and avoid a government shutdown.

So this agreement, the continuing resolution, represents a good step, a good bipartisan step. I really appreciate that, although I must say we didn't have to go down this road.

There is a saying we have in Kansas that there are a lot cactus in the world. We don't have to sit on every doggone one of them. And, boy, we sat on this one, and we sat on it too long.

I want thank the staff, especially the Agriculture Committee staff, representing all of our Members on the Ag Committee. They did tremendous work, making sure the right policy was there, making sure that at least the CCC was operating with the funds that they need to operate during the middle of COVID–19, and, again, on behalf of all of agriculture.

So I want to again thank Senator HOEVEN for holding this discussion.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Nebraska.

Mr. SASSE. Mr. President, before Chairman ROBERTS leaves, I just wanted to come down and lend my voice to him and Senators BOOZMAN, THUNE, and HOEVEN, and to Chairman ROBERTS and his staff for his work, and the Presiding Officer. Thank you for spelling me in the Chair momentarily. Senator HOEVEN and his team have done great work as well.

As Chairman ROBERTS just said, there was no reason to have gone down this path and injected all of this partisan uncertainty, holding farmers and ranchers and their communities and their lenders and their welders and their truckers hostage over the last 48 hours. It served no policy purpose, and it continues to diminish public trust in this institution and our ability to serve our people.

So I just want to commend you and Senator HOEVEN and your teams for the work that you have done.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, we are here today to commend our Republican leadership for forging a bipartisan compromise on a continuing resolution to avoid a government shutdown.

In particular, I am so pleased that we reached an agreement that included full reimbursement to the Commodity Credit Corporation, which we have all been talking about—not only agreement, but to take away the potential of unnecessary delays in farm and conservation payments, which are so important to our farmers.

For decades, the CCC has been routinely reimbursed without fanfare, but, unfortunately, not so this year. Our farmers and ranchers have faced more than enough challenges this year—extreme weather events, low commodity prices, market volatility, a global pandemic, and the list just goes on and on and on. They don't need Washington to make things even more difficult.

With passage of this bill, with the full CCC reimbursement, farm and conservation program payments will go out as planned and will offer farmers and ranchers a little more certainty and a little bit more predictability to continue growing the food and fiber for this Nation—not only for this Nation but for the world.

These important programs—like Ag Risk Coverage, Price Loss Coverage, Market Assistance Loans, the Environmental Quality Incentive Program, and others—were authorized in the 2018 farm bill that was supported with an overwhelmingly bipartisan record number of votes in the Senate.

So I want to really just thank all of those involved in this effort. They worked so, so very hard. A special thanks to Senator MCCONNELL and his staff and Chairman ROBERTS, whom we have with us now, who is certainly the voice of ag in the Senate and in Congress. We are going to miss him greatly, as he decides to step aside. And also to Senator HOEVEN and the great work that he did through the ag appropriations part of this.

Then, as Senator ROBERTS mentioned, there are the staffs that worked so, so very hard, and also the members of the Ag Committee who stepped up and really shouldered the burden and just did a tremendous job in really explaining to Congress and explaining to the public how important this issue was and that we simply could not go forward without getting it included.

Then we are here, and we fight. We are kind of the tip of the stick and the spear in the ag community and worked really hard in that regard. We simply couldn't get it done without the agriculture groups that worked so, so very hard, again, in educating the farmers. They understand how important this is, but, again, mobilizing them, mobilizing the public so that we could have the great result that we did.

I yield the floor.

Mr. HOEVEN. Mr. President, I would like to thank the Senator from Arkansas again for his diligence and hard work, and our Ag chairman.

I just want to wrap up with some thank-yous, as well, and it starts with our Ag chairman, not only for his leadership on the farm bill but then on making sure we fund these farm programs.

I tell you, it has been something that I know Senator BOOZMAN agrees with me on. We have learned a lot from him, and we appreciate it. It has made a real difference for farmers and ranchers across this country.

I want to thank, of course, all of the Senators that worked with us on this project—I named them earlier—but our House Members too. We reached out to Members of the House, whether it was the ranking member on the Ag Committee, Representative CONAWAY, or whether it was Representative FORTENBERRY. There are many others that reached out and helped as well.

I agree. I want to thank our staff, led by Tony Eberhard, my chief, and on the Agriculture side, by Morgan Ulmer and her whole crew, Shannon Hines, and, of course, RICHARD SHELBY, our leader on the Approps side, and somebody whom you worked with for many, many years, Mr. Chairman.

It takes all of these people working together. This was really important, not just for the farm bill but for that disaster assistance, the coronavirus food assistance funding that we are providing, as well, which our farmers and ranchers need so very much as we go through this COVID fight.

So let me just wrap up. This is something that the Ag chairman brought up. I thought, as usual, right on. He said we wouldn't have been able to get this done without the farm groups and the ranch groups stepping up and calling their Member, whether it was their Senator or their House Member.

Our chairman also already introduced this into the RECORD—the letter—which was so important. But I am going to take just a minute and read through those ag groups, if I could, as our way of finishing up with a thank you.

I am just going to read through those 47 groups: Agriculture Retailers Association, Amcot, American Agri-Women, American Cotton Producers, American Cotton Shippers Association, the American Dairy Coalition, American Farm Bureau Federation.

I have got to say that the American Farm Bureau Federation took a real leadership role, so a special thanks there.

But thanks to all of these groups: American Pulse Association, American Sheep Industry Association, American Soybean Association, American Sugar Alliance, Association of Equipment Manufacturers, Cotton Growers Warehouse Association; Cotton Warehouse Association of America, Crop Insurance Professionals Association, National Association of Wheat Growers, National Barley Growers Association, National Cattlemen's Beef Association, National Corn Growers Association, National Cotton Council, National Cotton Ginners Association, National Council of Farmer Cooperatives, National Farmers Union, National Milk Producers Federation, National Sorghum Producers, National Sunflower Association, Panhandle Peanut Growers Association, Plains Cotton Growers, Produce Marketing Association, Rural & Agriculture Council of America, Society of American Florists, Southeast Cotton Ginners Association, Southern Cotton Growers, Southwest Council of Agribusiness, U.S. Canola Association, U.S. Cattlemen's Association, United Egg Producers, United States Peanut Federation, US Rice Producers Association, USA Dry Pea & Lentil Council, USA Rice, and Western Peanut Growers Association—all representing farmers and ranchers.

They produce the highest quality, lowest cost food supply in the world that benefits every single American, every single day.

With pleasure I yield, for the final words, to our esteemed chairman.

Mr. ROBERTS. I am not sure this is the final word. In the Senate of the United States there is no final word, I would assume.

But this points out something that is just absolutely understandable—common sense. When people ask me how on

Earth we got 87 votes together for a farm bill, with the tremendous help of the ranking member, Senator STABENOW, it was pretty easy.

We were holding hearings, as both of the Senators know. And people asked me: How do you get something like this done?

It is just a huge undertaking. You have to listen to farmers. You have to sit on the wagon tongue and listen.

Well, this time we didn't have to sit on the wagon tongue and listen. United, they said: What on Earth is going on? How did this proposal get loose? In other words, keeping us out of the continuing resolution, given the problems that we are having, what on Earth is going on?

And so it wasn't much of a surprise to any of us when farmers—every one of them represented by the groups that the distinguished Senator has just listed—said: Whoa. Wait a minute. We are getting left out.

I think the leader in a conference said something about, well, other than the fact that we are treating agriculture and farmers like bums—I mean, it was pretty clear what was going on, and it was terribly counterproductive. I don't know how people come up with these things. It is what it is.

But we listened to farmers. We got the job done. We cooperated. It was bipartisan.

Some of the nutrition programs were addressed. It was a good news story. We couldn't have done it, however, without the 47 groups that sounded the alarm. And so we have been able to do it over a period of about 3 or 4 or 5 days.

I thank everybody concerned. I think it is a good news story in the end result.

Mr. HOEVEN. Mr. Chairman, I also want to add Terry Van Doren to that list, who is here this morning on the floor. He worked tirelessly and stood firm in the negotiations. So, Terry, thank you to you as well.

And, again, the final word, though, has to go—I think Senator BOOZMAN would agree with me—to our Ag chairman. Thanks so much.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Illinois.

Mr. DURBIN. Mr. President, let me at the outset join in with my Republican colleagues. Coming from a farm State, I am glad that we have a bipartisan continuing resolution until December 11.

I am saddened that we don't have the Appropriations Committee working through its normal process, nor the Budget Committee. This is the world we live in now—continuing resolutions. And this continuing resolution does include money for the Commodity Credit Corporation, which is the usual source of payments for agriculture programs agreed to in the farm bill.

There was some question as to whether or not there was enough money in the CCC account to take care for the months to come. Now there is no question that it will be adequately funded. That is a positive thing.

I also am happy to report that the early press reports that we saw suggesting CCC funds were actually going to be diverted to oil companies—oil companies—was expressly prohibited as part of this negotiation.

Understand what is behind this. These oil companies have benefited from a decision by the Trump administration to give small refineries waivers when it came to the blending of ethanol with their product. The net result of that decision by the Trump administration was that a large number of these small refineries were given waivers for blending, and, as a result, the actual production of ethanol declined dramatically. It is one of the major reasons that corn is grown and sold. It is for that use, and it was diminished dramatically.

It was one of major reasons why, as the ethanol industry cratered, that farm income in many States was cut in half from what it normally has been.

In just the last few days, there has been an attempt to rectify the situation, which should have been changed years ago, and rectifying it to say that, once again, there will be blending of ethanol with gasoline in the United States, which I support. And then someone suggested, well, let's give an additional subsidy to the oil companies from the Commodity Credit Corporation—a terrible idea from the start. I am glad it is not included in this final product.

Let me mention one other part of this that is included that I think bears notice, and that is the fact that there is an extension of the school feeding program for the next school year.

We have an extraordinary situation with the COVID–19 pandemic where many schools are not bringing kids into the classroom. Many of these kids are being taught online across America. I know it because I know my grandkids are going through this. For those who are in lower income-qualifying categories, we have now extended in this continuing resolution the accessibility of these school feeding programs for the next school year. That is important. Kids, if they are going to learn, have to have nutrition. We don't want them suffering from hunger in the process in any way, shape, or form in this great Nation.

I want to salute not just the CCC, which has been lauded over and over again in this last half hour, but this decision that my side of the aisle was pushing for to extend school lunch and school feeding programs into the next school year. I think it will give some peace of mind to administrators who are trying to cope with the current situation.

CORONAVIRUS

Mr. President, on a completely different subject—but related—we have lost 200,000 Americans to coronavirus. The predictions are that by election day there could be 300,000 deaths and by the first of next year, 400,000 deaths.

My heart goes out to the families affected. I listened as spokespeople for the administration talked about the wonderful job that they have done in defending America from the coronavirus. The numbers don't back them up at all.

The United States of America has 4.5 percent of the global population, and yet as of this morning, we have 20 percent of the COVID–19 deaths in the world—4.5 percent of the population, 20 percent of the COVID–19 deaths. This great and powerful Nation, with the best doctors and hospitals and researchers and pharmaceutical companies in the world, has one of the worst records in fighting this virus in the world. It is sad to think that you are five times more likely to be infected by COVID–19 in the United States than if you were living in Germany; twice as likely to be infected by COVID–19 in the United States than if you were living in Canada. Canada, just across the border, has an infection rate half of what the United States has. What is it that they did that we didn't do?

Well, they came together as a nation with a national policy, and it worked. We didn't. This President basically said to the Governors: You are on your own. As a consequence, there was a mad scramble to get protective equipment. There was a mad scramble for ventilators. It was a free-for-all when it should have been a coordinated national policy.

Then, when the public health experts told us the obvious, that we ought to use these masks, and we should practice social distancing, washing our hands, and avoiding crowds, the President of the United States said just the opposite. One day he wore a mask—I saw on television—when he visited a veterans hospital. I don't know if he has ever worn one before or since. When the message from the public health experts who insisted that it was the best way to break the back of this pandemic, this President mocked them by holding rallies across the United States with all of his loyal fans pointedly not wearing masks to show they really didn't care—didn't care about any of the public health advice, and we are paying the price for it.

More people are infected in this country than Canada. We have double the rate here over Canada, five times the rate over Germany. So many more have died in this country who should be living today. The President, at various times, has said, when asked about the deaths: ''It is what it is.'' That is an off-the-cuff dismissal of the issue, which is beneath the dignity of any leader of either political party.

Despite the urgent needs of families, businesses, workers, and unemployed Americans across the country, we haven't followed through on the original CARES Act, which passed in this Chamber on March 26. It was that date, by a vote of 96 to 0, that Republicans and Democrats said: We take this seriously, March 26, and we are going to

dedicate $3 trillion to make sure that we fight this virus and that we do everything in our power to cushion the shock of the economic impact of this virus on America.

I went home after that, and people said: I can't believe 96 to nothing. Democrats and Republicans agreed? Well, we did. There were some proposals in there that were brandnew, such as the Paycheck Protection Program that Senators RUBIO and CARDIN constructed. I think I have been told they spent perhaps 2 weeks in writing this important program. Was it perfect? By no means. We realized, after a few weeks, it needed to be changed, and we changed it several times, but the concept was sound to give money to small businesses so they could keep people on the payroll, pay the mortgage, pay the rent, pay the utilities. These are the fundamentals that a business needed so that it might reopen and put people back to work. It was a great program. It should be extended even further. I think there should be a second round.

I also think there should be a second round when it comes to unemployment benefits. The $600 a week, which we provided—which is incidentally subject to taxation, people should remember—but the $600 a week which we provided over and above State benefits made a dramatic difference in the lives of Americans. Critics from the outset said: It is going to make people lazy. Folks will just sit at home watching Netflix and eating bonbons.

I don't believe that. In fact, when you look at the reality of the situation, 70 percent of the people who have gone back to work in America—70 percent of them—were earning less money at work then they did with unemployment benefits, and yet they went back to work. Why would they do that if it were just about whether you are going to be lazy or thrifty? It is because they want to be back to work for the benefits, to do the work that they do and enjoy doing, and they knew that unemployment was a temporary thing, as it should be, as people had an opportunity to return.

So that expired July 31. The President has tried to extend it by Executive order. There is question as to whether he has the authority to do that. The President is also trying to do something which I still don't understand how to explain to anyone when it comes to payroll tax. He is allowing employers to decide whether to suspend collection of the payroll tax to a later date. If that tax on your income of 6 percent or 7 percent is suspended, but yet you have to pay it all back at the beginning of the year, are Americans prepared to have a double taxation from their payroll check after the first of the year? In the meantime, that payroll tax is supposed to be used to fund Social Security and Medicare. If the President is not funding Social Security and Medicare, what does that do to the solvency and longevity of those programs? It raises a question as to whether they are going to be hurt by this temporary measure. It is a very confusing proposal by the President, but he has put it on the table, and we are now trying to sort out the impact it is going to have.

We need to do more. We shouldn't go home for this election empty handed when it comes to helping the families and businesses across America, and we need to start to help State and local governments.

My State of Illinois has problems—plenty of them. When it comes to pensions, for example, just like Kentucky, we have problems funding our pensions in Illinois. But we have a second set of problems created by the pandemic—the downturn in revenue which is going to have a dramatic impact on State budgets in Illinois and other States. If we don't help these State and local governments get through this problem, they have no choice but to layoff important, vital employees—law enforcement, firefighters, healthcare—just to name a few.

When people talk about defunding the police, I am afraid that if we don't give a helping hand to State and local governments, we are actually going to see the defunding of some law enforcement across this country. That is why those on this side of the aisle have been pushing for State and local assistance as part of any package of relief that we pass.

The majority leader knows this needs to be done. The playbook was right in front of him for another relief bill. We did it back in March with the CARES Act. To negotiate a real package with real solutions for the American people, the majority leader needs to show up at the negotiating table. It is impossible to explain why Senator MCCONNELL boycotted the negotiation sessions between the White House and the Democratic leaders in Congress. There was an empty chair waiting for him, but he never filled it.

I am introducing legislation this week to help workers who have been furloughed or laid off through the pandemic from losing their health insurance. I can't imagine a worse situation than in the midst of a public health crisis to lose your health insurance coverage.

If you have been laid off, your options are a few—but only a few. You may qualify for Medicaid. It is possible. You might go to the Affordable Care Act and go on the exchange and find an insurance policy that works for you and your family. There is also an option called COBRA, where you would take the health insurance offered in your workplace and decide to keep it but pay the employer's share as well as the employee's share on premiums. The problem, of course, is that it is very expensive.

On average, COBRA costs $600 a month to keep the health insurance you had at work for an individual, $1,700 a month for a family. Six hundred dollars a week sounds like a lot of money—times 4 weeks, $2,400. But if $1,700 a month is going just to maintain your health insurance from where you worked, you can see there is virtually no benefit. It is estimated that 23 million workers can lose health coverage during the course of this pandemic. That happens to just about mirror the number who were given health insurance under the Affordable Care Act. Now they stand to lose—at least the same number stand to lose their health insurance because of the pandemic. Are we going to sit still for this or are we going to help these families?

My bill, which I will be introducing with Senator CORTEZ MASTO and others, will fully cover the cost of COBRA, enabling newly unemployed Americans to keep their healthcare coverage during this difficult time. The legislation mirrors what passed in the Heroes Act in the House in May—in May, 4 months ago—and it is vital to help those whose jobs have been taken away by the pandemic. We have waited 4 months to do something here in the Senate, and we have done nothing.

So MCCONNELL brought a bill up 2 weeks ago that is so thin and so wanting that it really didn't address the problems that this Nation faces.

There is a new report from the Robert Wood Johnson Foundation that half of Chicago households report having lost their jobs. Some of those who lost their job are head of household, have been furloughed or are seeing reductions in wages or hours since the start of the pandemic. Half—half—of Chicago's households reported facing serious financial problems during the pandemic and have trouble caring for their children. Thirty-five percent reported that they used up all or most of their savings. This is a terrible situation—a challenging situation. We owe it to this country and the people we represent not to ignore it.

As we know, the pandemic has disproportionately affected our minority communities, with nearly 70 percent of Black families and 63 percent of Latinx families in Chicago reporting they are having serious financial problems—70 percent of Black families, 63 percent of Latinx families.

While those statistics reflect the reality of many in Chicago, there is no doubt that this is also the story in many other cities across this Nation.

That is why we need a Federal response. We need to do what is necessary to help these families, businesses, cities, and States get back on their feet. But instead, the Senate Republicans proposed an inadequate, partisan bill, with no negotiations with the other side of the aisle. They failed to prioritize the needs of struggling families.

The bill has failed to provide another round of economic impact pay for families or hazard pay for essential workers. They fail to provide relief to States and local governments to help teachers, EMTs, firefighters, and police.

A week from Thursday is October 1, which means another month's rent will be due, and many families know they will not be able to pay it. We need help on a bipartisan basis. I agree with Federal Reserve Chairman Jerome Powell, if we don't move and move quickly to address this issue, the economy can sink even deeper, and recovery would be further in the distance. In the meantime, the death numbers in the United States would be even worse.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative 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 bring to a close debate on the nomination of John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona.

Mitch McConnell, Martha McSally, Tom Cotton, Roger F. Wicker, John Cornyn, Lamar Alexander, John Barrasso, Roy Blunt, Marco Rubio, Richard Burr, Mike Crapo, Rob Portman, Kevin Cramer, John Thune, Steve Daines, John Boozman, James Lankford.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 71, nays 26, as follows:

[Rollcall Vote No. 190 Ex.]

YEAS—71

Alexander	Feinstein	Murphy
Baldwin	Fischer	Murray
Bennet	Gillibrand	Paul
Blunt	Graham	Perdue
Booker	Grassley	Peters
Brown	Hassan	Portman
Burr	Hyde-Smith	Reed
Cantwell	Inhofe	Risch
Cardin	Jones	Roberts
Carper	Kaine	Romney
Casey	King	Rosen
Cassidy	Klobuchar	Rubio
Collins	Leahy	Sanders
Coons	Loeffler	Schatz
Cornyn	Manchin	Shaheen
Cortez Masto	Markey	Shelby
Cramer	McConnell	Sinema
Crapo	McSally	Smith
Duckworth	Menendez	Stabenow
Durbin	Merkley	Tester
Ernst	Murkowski	Tillis
Toomey	Warner	Wicker
Udall	Warren	Wyden
Van Hollen	Whitehouse	

NAYS—26

Barrasso	Gardner	Rounds
Blackburn	Hawley	Sasse
Blumenthal	Heinrich	Schumer
Boozman	Hirono	Scott (FL)
Braun	Hoeven	Scott (SC)
Cotton	Kennedy	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Young
Enzi	Moran	

NOT VOTING—3

Capito	Harris	Johnson

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 26.

The motion is agreed to.

The Senator from Idaho.

NATIONAL SMALL BUSINESS WEEK

Mr. RISCH. Mr. President, fellow Senators, I rise today in honor of and to speak about the importance of small businesses—in particular, in relation to National Small Business Week.

Idaho's small businesses are the engine that powers our State's economy. They provide us with not only goods and services, local jobs, and growth opportunities, but also immeasurable community value.

With the onset and spread of COVID–19, this year has presented Idaho's business owners with challenges not seen in our lifetime. Even under normal circumstances, business ownership takes remarkable courage and commitment. With the pandemic, the challenges associated with entrepreneurship have increased dramatically. Throughout 2020, Idaho's small businesses have shown tremendous determination as they have strived to serve their customers and keep their doors open to people in their communities.

During this year's National Small Business Week, I want to take this opportunity to recognize the resilience and courage of small businesses throughout the Gem State and encourage Idahoans to continue to support the local shops, restaurants, and businesses that make our communities vibrant.

I firmly believe that small business relief is a shared, bipartisan priority. Here in the Senate, we will continue to work to deliver relief to Idaho's small businesses so that we can get back on the path to recapturing the unprecedented prosperity our economy provided before this crisis began.

Idahoans are set apart by their grit, self-reliance, and their deep commitment to community. I am constantly reminded of this and proud of it when I see Idaho's small businesses enduring and supporting one another through these uncertain times.

The PRESIDING OFFICER. The Senator from California.

SUPREME COURT NOMINATIONS

Mrs. FEINSTEIN. Mr. President, I rise today in honor of Justice Ruth Bader Ginsburg. Justice Ginsburg was a role model for many and a champion for all, and I was one of those.

I would like to speak about what is at stake for the American public with this vacancy on the Court and why whoever is elected President in November should be the one who decides to fill this seat.

Justice Ginsburg was, simply put, a phenomenal lawyer and jurist. She was small, and she was mighty. As a civil rights lawyer, she won key cases that established a woman's constitutional right to equal treatment and confirmed the principle of equal rights for all. As a jurist, she further cemented these key principles into law. She brought them up, and she made them exist forever.

As a person, she brought smiles to our faces, and now she really does bring tears.

Although small in stature, Ruth Bader Ginsburg was a formidable advocate, strategist, and champion. I believe she will continue to serve as a major role model for generations of women, both young and old, for whom she paved the way, and I am one of those. We are in her debt today, and generations to come will be in her debt as well.

Justice Ginsburg is also important to me personally. Her confirmation hearing was the first I participated in as a newly elected Senator and as the first woman to sit on the Judiciary Committee in 1993. It was a long time ago.

As I said before the committee in 1993, it was not until I began preparing for Justice Ginsburg's confirmation that I learned how she built the foundation for women's rights. Simply put, it was this: Before becoming a judge on the DC Circuit, Justice Ginsburg was the director of the ACLU's Women's Rights Project, where she won five cases before the Supreme Court. Amazing—five cases before people believed women had these rights. In one of these cases, Craig v. Boren, the Supreme Court held for the first time that the equal protection clause of the 14th Amendment applied to women. Can you believe it—actually applied to women. This is a very big addition because this really canceled out inequality.

In other words, it is because of Justice Ginsburg's advocacy as a lawyer that the government cannot discriminate against women on the basis of sex. For the female side of this room, this was really a major person whose works enabled us to run for this esteemed body and be part of it.

It is no surprise, then, that Justice Ginsburg remained a fierce defender of women from the bench.

She consistently reaffirmed a woman's right to choose and upheld Roe v. Wade against dozens of attacks.

She invalidated the men's-only policy at the Virginia Military Institute. Explaining that decision at a visit to VMI, Justice Ginsburg told cadets that she knew it ''would make V.M.I. a better place.''

In 2007, she vehemently dissented in a case where the Court's majority held that a woman—namely, one Lilly Ledbetter, with whom we have become familiar—was time-barred from suing

her employer for discrimination when she finally learned that her male colleagues had been paid more than her for several years. Justice Ginsburg's dissent in this case became the basis for the Lilly Ledbetter Fair Pay Act, which we passed in 2009, making it possible to bring lawsuits when gender-based pay discrimination is actually uncovered.

As a testament to the legal giant she was, Justice Ginsburg's accomplishments on behalf of women are just one part of her legacy, and that legacy I strongly believe is going to be honored more and more in the years to come. She died last Friday, just 46 days before the 2020 Presidential election.

Importantly, under a Republican standard adopted in 2016, the Senate should not consider a Supreme Court nomination until after the inauguration of the next President, whoever that may be. Until recently, Republicans have been intent on their own standard, which they used to block consideration of Merrick Garland, President Obama's nominee, to fill Justice Scalia's seat on the Court. Now, can we have one set of rules for Democratic Presidents and another for Republican ones? I think not. To allow otherwise undermines not only our faith in Congress but also the faith of people that we are going to stick by what we do and be impartial in the judicial system. Now, just 41 days before the election, Senate Republicans must abide by their own standard.

What is at stake? There is a great deal of attention this week as to whom the President might select. The simple truth, however, is this: No matter whom President Trump nominates, fundamental rights and protections must be considered because they become at risk if the nominee doesn't respond positively and effectively to these.

For example, in November, the Court will hear a renewed legal challenge—brought by the Trump administration—to the Affordable Care Act. Given President Trump's promise to appoint a Justice who would strike down the Affordable Care Act, healthcare access and protections for the nearly 130 million nonelderly Americans with preexisting conditions are really in certain peril, and we have every reason for serious consideration and opposition if this protection is not continued.

It is unbelievable that during a pandemic that has already killed more than 200,000 Americans, this President and his allies are rushing a nomination that could leave up to 30 million Americans without healthcare. I hope that doesn't happen.

The next Justice will also decide cases concerning women's reproductive rights, voting rights, access to justice, environmental protections, the rights of LGBT Americans, and the rights of American workers. Justice Ruth Bader Ginsburg was a champion for all these rights and protections. She is very hard to replace, and it is important to think of those rights that need continued protection when the replacement is made by the President.

We cannot allow the Senate and the President to jam through a nominee who will undo this legacy, which is so important to every American because every American has that legacy today, firm, and uses it virtually every day of their life.

We are ready to fight, and we will do everything in our power to safeguard these hard-won rights and protections. It is really important. Of all the nominations I have sat as a fairly long-term member—since 1993—of the Judiciary Committee, these protections and rights are really all important and must be protected. They will be what we are looking at when the nominee comes to the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

BILLION DOLLAR BOONDOGGLE ACT

Ms. ERNST. Mr. President, I grew up on a family farm with modest means. As a young girl, I saw Washington, DC, as a place for men in big fancy suits and big fancy houses. While a lot has changed since that time—for one, there are a lot more women like me serving in the Senate—so much here is still the same.

You see, too many folks in Washington get their paychecks from American taxpayers but don't honor the folks who pay their salary. Instead of holding bad actors accountable, whether it is reckless spending or raunchy behavior on taxpayers' time, it gets swept under the rug.

Let me give you an example. I have a bill right now. It is called the Billion Dollar Boondoggle Act. It passed committee unanimously. It is actually one of the simplest bills I have ever introduced. It literally requires the government to report on projects that are, No. 1, behind schedule and, No. 2, over-budget. It is a simple reporting requirement. Again, it passed through the committee unanimously.

The bill has the support of my Republican colleagues, but I am being stonewalled by my friends across the aisle. Folks, I cannot fathom why some Senate Democrats would oppose a reporting requirement to identify wasteful spending.

You might ask: If this bill is so simple, why does it mean so much to you? Because it matters to my fellow Iowa taxpayers. They expect Washington to use their tax dollars wisely, not throw them down bottomless sinkholes that go unnoticed. Ask any small business owner in Iowa whether the bottom line allows them to be over-budget or behind schedule. They would be out of business. They would be out of business in a heartbeat. Yet we can't even pass a bill to report on these cost overruns, much less address them. I guess it is perfectly fine for Washington to take more and more from working families and small businesses.

Folks, I think it is downright shameful that we just can't pass this simple bill. I will remind you again, it passed unanimously through committee.

While there is a heck of a lot of political posturing that goes on in the Senate, we have had moments when we have come together to rein in the ticker tape parade of Washington's excesses. For instance, we passed my SQUEAL Act, which was signed into law as part of the Tax Cuts and Jobs Act of 2017. I am proud of that effort because there is no reason Members of Congress should enjoy tax perks that don't get enjoyed by everyone else.

My bipartisan Program Management Improvement and Accountability Act was signed into law, creating more efficiency and oversight in the Federal Government.

I certainly have not stopped fighting to rein in Presidential perks.

I have also worked with colleagues who couldn't be more different from me politically, and we have actually accomplished really important things for the American people. I will name a few of those. We have fought against abuse in the Olympics. We have worked to stop prison rape. We have expanded telehealth and mental health services for our veterans. We have fought against opioids in our communities, and so much more.

Working across the aisle really does take humility. It takes honesty, and it takes a firm belief in America and her people. But we can do this. I would urge all of my colleagues to support my bill and move it through the Senate.

Living in Iowa, I am so blessed to be around the best people America has to offer. I am lucky not just to call these people farmers but also friends and neighbors. Iowans are strong. Iowans are resilient. And Iowans are brave. I have long said we need more of Iowa in Washington. I will keep fighting to make sure that happens.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

REMEMBERING JUSTICE RUTH BADER GINSBURG

Ms. DUCKWORTH. Mr. President, a 5-foot-1-inch giant, Ruth Bader Ginsburg changed this Nation—and the potential of my own life—time and again, seeing no challenge too big and finding no cause too small to fight for. A woman with the softest voice, yet the most powerful words one could ever imagine, she made it her life's work to lift up the voices of others who all too often had been silenced or ignored.

With every case she argued, with every ruling she issued, with every dissent she penned, Justice Ginsburg helped push our country toward that more perfect Union our Founders once

wrote of in the Constitution she believed in so fiercely.

Our democracy may have been founded in the 18th century, but it wasn't fully built when the ink dried on the Declaration of Independence. It was shaped and strengthened, forged and formed, not just by those whose faces loom large on Mount Rushmore but by someone who was often the smallest, quietest person in nearly every room she ever walked into. It is because of Ruth Bader Ginsburg's brilliance and resilience that so many of us have the rights we too often take for granted, and it is because of her that who I am today is possible.

Long before she was a Supreme Court Justice, she was a relatively unknown law school professor who altered the course of history when she argued that the equal protection promised under the 14th Amendment didn't just mean equal protection for men. Her legal genius was captured in her first landmark victory and reflected in her choice of a male plaintiff to demonstrate that discrimination on the basis of sex harms every American, male and female alike.

Suddenly, thanks to this idealistic, young lawyer who spent her own law school years having her place questioned because of her sex, it became illegal to discriminate against women because they happened to be women. That same tenacity, that same trailblazing intellect, that same woman also helped pave the way for me to succeed in my career as a woman in the military.

In 1973, she made sure that the equal rights for women she had helped to secure extended to the women who were seeking to defend our Nation, arguing and winning her first case in front of the Supreme Court—getting the Justices to rule in an 8-to-1 fashion that the military could not give a female servicemember fewer benefits than her male counterparts.

Her life, her position, and her title changed over the next couple of decades, as we all well know, but her convictions did not. It was 23 years after standing in front of the bench of the highest Court in the land to argue that our Armed Forces could not discriminate against a woman in their ranks that Ruth Bader Ginsburg herself sat on that very same bench and issued a ruling that changed everything for countless women who dreamed of serving their country in uniform. She struck down the State-funded Virginia Military Institute's male-only acceptance policy, granting women the ability to learn and train alongside men at one of the top military academies in the Nation.

In a ruling I plan to read out loud to my little girls some nights instead of their usual bedtime stories, she wrote of potential female VMI students, arguing: ''Generalizations about 'the way women are,' estimates of what is appropriate for most women, no longer justify denying opportunity to women whose talent and capacity place them outside the average description.''

I can't begin to imagine the number of women generals and flag officers and servicemembers she paved the way for with those rulings, but I do know the story of one, not a flag officer—just me, myself.

As I was a couple years into the Army when she wrote that decision, Ruth Bader Ginsburg helped make my career in the military possible. She helped make my hope of one day serving in a combat role regardless of my gender, of one day commanding a unit—despite most of my crew being men—achievable. It was because of her that my dreams had the opportunity to become a reality.

You know, yesterday, I told my 5-year-old, Abigail—named for Abigail Adams, another feminist—that we were taking a field trip instead of our usual homeschooling routine, and I took her and her younger sister, Maile, to the steps of the highest Court in the land. I didn't expect to get emotional, and I didn't expect to tear up, but with Maile in my lap and Abigail by my side, I started to cry. I was crying because it was not just my military career Ruth Bader Ginsburg helped to make possible but my family too.

I may never have been able to become a mom if it were not for Justice Ginsburg. Without her, without what she did to safeguard healthcare and reproductive freedoms, I might never have been able to get pregnant through IVF. I might never have been able to have my two little girls; never would have been able to watch Abigail place a bouquet of white roses on the steps of the Supreme Court if Ruth Bader Ginsburg hadn't spent decades in that very same building, defending my rights. She changed—no, she gave me the opportunity to achieve my life as it is today.

Her passing isn't just heartbreaking for me and for countless other women across this country; it is a loss for our entire Nation. It is a loss for justice, a loss for equality.

While today I will continue to mourn everything we lost when she passed last Friday, I promise that tomorrow I am going to roll up my sleeves and honor her in the way I believe to be most true to how she lived her life—by fighting like hell for what is right and for all of our rights.

My daughters might be too young to remember going to the Supreme Court to pay our respects to RBG, but they will know her legacy, and already, every day, they are living proof of its power.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

HOUSING REPORT

Mr. BROWN. Mr. President, the coronavirus has been the great revealer in our country. This crisis, of course, isn't happening in a vacuum. It is layered atop a system that already was not working for a whole lot of people and that had centuries of racism built into it.

Few places is that more true than in our housing system. When it comes to housing, like so many problems in this country, we have a President who makes things worse, not better. For 4 years now, President Trump and his administration have systematically undermined fair housing.

I would add, since the Senator from Utah is in the Presiding Officer's chair, that I would do a shout-out for his father and what he did as Secretary of HUD in the late sixties, early seventies in trying to move this country forward.

That was obviously not in my prepared remarks. I didn't know that you would be presiding, but thank you.

The Trump agenda—very different from the agenda in the Romney HUD administration—turned back the clock on civil rights protections that leave communities of color, people with disabilities, and LGBTQ people behind.

This week I released a comprehensive report from the Banking, Housing, and Urban Affairs Committee, detailing the ways that President Trump has made inequality and segregation in housing worse and the work we have to do to undo the damage.

More than 50 years after Congress passed the Fair Housing Act, access to housing remains not just unequal but separate and unequal.

The contours of our country are too often still defined by Black, Latino, Asian or White neighborhoods, all with very different levels of access to resources—schools, grocery stores, healthcare, clean air and water, public safety.

This is not an accident; it has been done by design. For decades, the Federal Government not only condoned housing segregation and discrimination—perhaps unbelievably, perhaps not—it actively promoted it.

We all know about Black codes. We know about Jim Crow, even if too many want to deny we are still living with this Jim Crow legacy today. It wasn't just the most blatant racist laws; discrimination was woven into the creation of our modern housing system from the beginning.

After the Great Depression, President Roosevelt created the government-sponsored Home Owners' Loan Corporation, the HOLC, and the Federal Housing Administration, the FHA.

These could have been tools for expanding opportunity for everyone. They did that for White Americans, but for Black Americans they did the opposite. HOLC partnered with local real estate agents and appraisers to make what they called residential security maps. These maps used color coding to differentiate between supposedly high-

risk and low-risk neighborhoods, with green signifying the best neighborhoods and red indicating a so-called hazardous area.

Neighborhoods that were home to people of color—even a small percentage—were marked ''declining'' or ''hazardous.'' That is what we know as redlining.

It was despicable racism, woven into the fabric of our housing system. We still live with the results. Capital, in the form of low-cost, stable mortgages, flowed to White neighborhoods—like the neighborhood in which I grew up in Mansfield, OH—and dried up in Black neighborhoods or neighborhoods that were home to immigrants.

White borrowers were able to build wealth through home ownership that could be passed down through families. Our government systematically denied Black families the same wealth-building opportunity.

From 1934 through 1962, 98 percent—98 percent—of all FHA mortgages went to White homeowners—98 percent.

It wasn't until Dr. King's assassination in 1968 that Congress finally passed the Fair Housing Act to outlaw discrimination and promote integrated communities. The Fair Housing Act was followed by the Home Mortgage Disclosure Act and Equal Credit Opportunity Act and the Community Reinvestment Act. These laws all provided powerful tools to root out discrimination and to invest in underserved communities.

But for too long, those laws simply weren't implemented.

Administrations of both parties ignored the Fair Housing Act's requirement that the Federal Government—this is a legal term—affirmatively further fair housing. Minority communities, though, remained underinvested. It took decades for all courts to say that if a housing policy has a discriminatory effect, it is, in fact, discriminatory. That is pretty simple. If a housing policy has a discriminatory effect, it is, in fact, discriminatory.

The government also didn't collect enough housing data to root out discriminatory housing that fed the subprime mortgage crisis. We know the 2008 crisis stripped away much of the housing wealth that families of color had fought for.

Today, access to housing and all the opportunity and stability that comes with it remains unequal. The African-American home ownership rate is nearly 30 percentage points below the White home ownership rate—30 percent below. Analysts have tried to explain the diversity with income and education as factors, but it never tells the whole story. With all else equal, similarly situated African Americans are markedly less likely to own a home than their White counterparts.

Black and Latino renters are also more likely to pay a larger share of their income toward housing than White renters, making it even harder to get by, even harder to save to buy a home.

We know—and many of us have repeated many times—that one-quarter of renters in this country pay at least half their income in rent and utilities, meaning if one thing happens in their life—their car breaks down, their child gets sick, or they have a minor workplace injury that keeps them out of work 4 or 5 days—everything in their lives can turn upside down. They can be evicted and all that happens with that. That is the legacy of redlining and racial exclusion at work.

During the last administration, President Obama made significant strides in enforcing civil rights laws that have been on the book for decades. But instead of continuing that progress, President Trump has simply choked that progress. He has turned back the clock. He has undone the progress that so many of us fought for.

Over the past 4 years, the Trump administration has done several affirmative—if you will—affirmative things to discriminate—not just that it didn't get around to enforcing, but it has done things that, by themselves, have caused damage to the progress we have made.

He appointed an OCC Director who undermined the Community Reinvestment Act by making it less likely that banks will provide the loans, investments, and services that these communities need.

The Trump administration cut back on housing data collection, allowing lending discrimination to go unchecked.

The administration tried to make mortgages more expensive and harder to get, particularly for people of color.

The administration denied opportunities for home ownership to hundreds of thousands of young adults.

The Trump administration forced families to choose between access to affordable housing and food and healthcare and a path to citizenship.

The administration gutted the so-called disparate impact standard that helps root out policies that have hidden discriminatory effects.

The Trump administration dismantled the affirmatively furthering fair housing rule, essentially telling communities around the country: Don't even bother trying to create a better, more equal housing system, and we will not help you if you want to.

On and on and on it goes.

I invite everyone to read our report and join us to take action. We have our work cut out for us to undo the damage President Trump has done and to get to work to actually erase the legacy of redlining and the legacy of Jim Crow and build a housing system that works for everyone.

Housing is the foundation of so much in life, and when people start behind because they can't get access to clean, accessible, fair—fair and safe housing, they, in many cases, simply can't catch up.

We have to restore the Fair Housing Act to its full strength. This means providing the tools to help communities create more inclusive housing markets, to end home lending discrimination, to strengthen fair housing oversight.

We must break down barriers to home ownership and redesign our housing finance system so that it better serves Black and Brown communities.

We have to protect the basic premise that LGBTQ people seeking shelter should be treated with the same dignity and respect as every other person. I think some of these are just so obvious, so important in a society like ours. I will say that one again—the basic premise that LGBTQ people seeking shelter should be treated with the same dignity and respect as every other American.

We must provide long-overdue investments in housing and community development in communities of color. Black families and other communities of color have endured too many decades of our country's housing policies failing them.

The same year we passed the Fair Housing Act, Dr. King gave a speech we call ''The Other America.'' In that speech, here is what he said:

> Our nation has constantly taken a positive step forward on the question of racial justice and racial equality. But over and over again at the same time, it made certain backward steps.

The Trump administration is that backward step. Fundamentally, we all pretty much want the same thing—a home that is safe in a community we care about, where we can get to work and our kids have a good school, with room for our family, whether that is three kids or an aging parent or simply a beloved pet.

You should get to define what home looks like for you. You should be able to find it. You should be able to afford it. You should be able to do it without the crippling stress of ''Can I meet my rent payment or my mortgage every month?''

For too many Black and Brown families, that has been out of reach—to find it, to afford it, to live in it without crippling stress.

Congress cannot ignore these challenges. We can't keep allowing the Trump administration to gut the tools we have to make people's lives better.

If we want to make the economy work better for everyone—including communities of color that have been systematically excluded from opportunity—we cannot shrink from these challenges. That is the purpose of the report we are issuing today. When work has dignity, everyone can find and afford a place to call home.

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

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

PROTECT AND SERVE ACT

Mr. TILLIS. Mr. President, across the country, Americans watched in horror as news stations reported the shooting of two sheriff's deputies in Los Angeles, who were brutally targeted by a murderous, violent criminal.

In North Carolina, just 2 days earlier, sheriff's deputy Ryan Hendrix, a father of two young children, a man planning to get married, was murdered in cold blood while responding to a family under siege by an evil criminal.

So far in 2020 alone, 37 law enforcement officers have been murdered by violent criminals and hundreds have been wounded while protecting our communities.

Despite these senseless deaths and the gruesome violence against police, there are those who support radical ideas like defunding or abolishing the police. These dangerous policies would allow criminals to roam free throughout our communities, unchallenged and unafraid.

The agitators pushing to abolish the police have sown the seeds of discord in our country by disrespecting law enforcement and disregarding their brave service to our Nation. Just look at Asheville, NC. Since June 1, over 30 police officers have left the law enforcement profession. These brave men and women are tired of being attacked physically, emotionally, and personally, simply for trying to keep their communities safe, every single damn day.

They put on a uniform to go protect their community, not sure if they are going to come back safe, and they do it anyway, and we owe them a debt of gratitude. But they are sick of the opportunistic politicians like the Democratic leader and AOC attacking them for just doing their jobs.

Worst of all is the specter of targeted attacks like those against the deputies in Los Angeles. The harmful rhetoric being used by the radical, anti-police leftists encourages an environment of hostility, which emboldens criminals and murderers. The result is brazen attacks against law enforcement officers in broad daylight.

In light of the toxic environment being created in this country, which devalues police, I believe the Senate must act to protect law enforcement officers and show them our support. That is why I have introduced the Protect and Serve Act with 16 of my Republican colleagues.

The Protect and Serve Act would punish criminals who target law enforcement officers and harm them. These criminals will receive up to 10 years in prison, and if they murder or kidnap a law enforcement officer, they will get a life sentence.

It is sad that Congress even needs to consider a bill to protect police officers, but let me be clear: Attacks against any law enforcement officers are no laughing matter. Congress must pass the Protect and Serve Act immediately and boldly say there is no escape from justice for dangerous criminals who intentionally assault or kill a law enforcement officer.

Today, I call on every single Democrat to support this commonsense legislation. The question is simple: Do you support the men and women in blue who fight every day to keep our communities safe or do you support lawless, reckless, liberal mobs who want to defund the police?

It is a yes-or-no question. You either back the blue or you back anarchy.

As long as I am a U.S. Senator I will do everything I can to protect our men and women who protect our communities every single day. I expect and they deserve no less.

I hope my Democratic colleagues can stand up to AOC, the Squad, and their radical liberal base and do the same. It is time to back the blue. It is time to restore safety in our communities. It is time to end the killing of law enforcement officers and people just trying to protect us every single day.

I yield the floor.

Mr. TILLIS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. LOEFFLER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ELECTION SECURITY

Mr. BLUNT. Madam President, I want to talk for a few minutes about securing our election process.

At various times, in the last 4 years, there have been different levels of reasons why the Federal Government needed to take over the election process. For a while, it was that the process was too easily infiltrated by outside influences, and then it was COVID–19, and it was important that everybody vote in different ways than they have ever voted before, and somehow only the Federal Government could manage that.

I would say that, in that, just as we look toward the 2020 elections, we have spent over $1 billion. I think it is $1.2 billion in funding from the Congress. We have had dozens of hearings in the Rules Committee, the Judiciary Committee, and the Homeland Security Committee. There was a 3½-year bipartisan investigation that I was part of as part of the Intelligence Committee, and we have looked at this about every way we can.

Right now, people across the country are beginning the process of casting their votes. This year, more than any other year up until now, we will have election day, but, really, we will have more like ''election month,'' and, in some States, it is going to be ''election 6 weeks'' or ''election 7 weeks.''

So this process is starting right now. It is a process where people will decide who represents them in the White House and the Congress; or, in some cases, in city hall; in many cases, the Governor's mansion; and in almost all cases, the general assembly; and in all cases, the U.S. House of Representatives.

Confidence in the voting process is the thread that holds the fabric of democracy together. Every time we needlessly get into a discussion about whether this process is fair or safe, I think it is harmful. Every time we need to have that discussion about whether it is fair or safe, it is, of course, not only helpful but totally appropriate.

This is the time when we need to be sure that our work has brought us to a good conclusion, rather than talking about the fact that the system is not going to work. The system is going to work. As the chairman of the Rules Committee, where we have the principal election jurisdiction, or as a member of the Intelligence Committee, I spent a lot of time looking at this. I think we have been very serious in the Senate, particularly, in considering these issues and at looking at the threats to our election system itself.

I am not going to talk much in the next few minutes about false information and other things. In my view, all you have to do is turn on the television to find some false information and watch the campaign commercials. There is a nugget of truth, perhaps, but most of them—many of them have little more than a nugget of truth in them.

Sure, I am concerned about false information. I am particularly concerned about it if it comes from foreign governments, from those who wish our country ill. But there is a lot of information out there—a lot more information than there has ever been before—and people should be very thoughtful about the information they take in.

I am not going to talk a lot about that. I want to talk about the election system itself because, in my view, the election-day system is as secure as it has ever been. The registration system is as secure as it has ever been.

Four years ago, the Obama administration—a little later than this—said: There is a big problem, and we are going to declare the election structure a structure of national significance, and we are going to play a different role than we have ever played before.

There was no anticipation that this was going to happen and not much discussion.

Election officials all over the country immediately said: Oh, no, you are not. You are not going to just decide in October of an election year that you are going to take over the election system and declare it a system of national significance, a system of critical significance to the future of the Nation.

Of course it is, but it didn't become that in October of 2016.

But the message was clear that we needed to build those stronger ties with local and State election authorities. We needed to do everything we

could, as we saw the efforts by some foreign actors and some people in their basements trying to see if they could get into the voter registration system and do something with it. We have done more of that—well, we have done all we can think of, in my view. We did a lot of it before 2018, and that never stopped.

For 20 years, Congress has done all we can think of to help make the system work better. We have spent over $1 billion in the past 4 years. We have encouraged them to update, and we have seen updates of antiquated systems. Systems that didn't have a ballot trail and other things have all been generally replaced, and where they haven't been, I think they are on even higher alert. We have helped them increase their cyber security. We have responded to COVID–19 with help to local governments, which in some cases was used for establishing polling places and even maybe paying extra to election judges.

While we provided those resources, it has been for a long time and still is up to local and State officials, who are the closest to the people they work for, to do everything they can to secure those elections. I spent about 20 years doing that, part of it as a local election official in Missouri, a county official, and part of it as the Missouri secretary of state, the chief election official.

Earlier this month, I had a chance to be in Kansas City when the county clerks and election authorities were all meeting. Most of them were there at a distanced meeting to talk about election responsibility. Others were virtually there to talk again about the absolute commitment they have made to the people they work for to conduct elections in a way that is both free and fair. I think that is what is going to happen.

Clearly, again, there are efforts by foreign adversaries—Russia, China, Iran, North Korea, and others—to interfere with our elections, but we want to be sure and I believe have been sure that Federal agencies have been providing the resources they needed to investigate bad actors, to punish bad actors, and to do everything they could to protect the American election system.

We are in a much different place than we were 4 years ago. Election authorities—State and, in many cases, local—know the name of the person at Homeland Security with whom they have had now a 4-year relationship or a 2-year relationship or a 1-year relationship, and when they get a call the day before the election, they are going to know that is a call from somebody who not only is there to help them that day but has been there to help them up until now.

The Rules Committee has held four hearings since the 2018 election—one on election security, one on how we are preparing for the 2020 election, one on oversight of the U.S. Election Assistance Commission, and in addition to that, putting people on the Federal Election Commission to fill vacancies that had been there for a long time.

The Judiciary Committee has looked into things like the social media companies that are trying to stop disinformation.

Homeland Security has drawn out a roadmap and has put the kinds of protections into the system that you want to have in the system for equipment that counts votes, the registration system that is available on election day.

The Intelligence Committee, as I said before, conducted a 3½-year investigation on foreign meddling in the last election, and the administration is holding those perpetrators accountable.

The Justice Department has secured indictments against three Russian companies. Twenty-six people involved with Russia's influence campaign in 2016 have been impacted by that. The Justice Department has sanctioned 46 other people and 18 businesses.

One of the things we didn't have in 2016 was a cyber offense. We had a cyber defense and I think the best in the world at that moment—I hope it still is—but we didn't have a cyber offense.

I remember being in an Intel hearing in 2017—this was early 2017—when the question was put to our intel community: Have you ever been told by the President of the United States that you should have offensive action taken against these bad actors? The answer by all of them was no. But it was March or April of 2017. The President of the United States who hadn't given that direction for the previous years was not the current President, who, not too long after that, did give that direction.

By 2018, when we sought cyber offense, we had our own cyber offense. They know who they are, and they know the price they paid and the price they would pay again. Thousands of members of the intelligence community have been working to keep an eye on that part of keeping our elections secure.

Providing Federal support to State and local officials is the right approach. Frankly, I have been in favor of providing a little more yet this year, but that appears to be part of a bill that we just can't seem to agree to even though somewhere between the targeted Senate bill and the Problem Solvers' bipartisan bill in the House that was released a week or so ago, there is clearly a settlement there that would likely include a little more election security assistance. But we are getting pretty late to add much to the system; we need to now be sure that what is in the system really works. We don't need a Federal takeover.

Many of you heard me say before that late in 2016, President Obama said: ''There is no serious person out there who would suggest somehow that you could even rig America's elections, in part because they're so decentralized in the numbers of votes involved.'' I think he is exactly right. The diversity of the system is the strength of the system.

I personally think the best place to vote is at a polling place on election day. I don't always get to vote that way. But if you want to have all the information that happens between the start of the campaign and the day you vote, the only way you get that is voting on election day. If you want to see your ballot go into a ballot box or into the counting system and know that happened, you better get that on election day.

But many people will vote in other ways, particularly this year. Usually, the other ways are a little more complicated, but they are still protected by comparison of signatures in most States. Usually, there is still going to be included an indication on the voter roll that goes to the polling place that somebody has already received another ballot. There are safeguards there.

For reasons we all understand, more people are going to vote earlier in this election than ever before. I know our election officials in our State and I suspect all over the country are planning for what they can do to still have the most information available possible on election night, but it is unlikely that we are going to know everything we want to know on election night.

If you don't want to vote at a polling place on election day or can't vote at a polling place on election day, you should still vote. Confidence in everything you hear or read should not be complete, but I think confidence that the election system itself is going to tabulate the results that came in and the votes that were cast is a pretty safe bet.

Politics can become heated and noisy during an election season, but at the end of the day, the American people need to understand that we are doing all we can to give them the ability to cast their ballots with minimal obstacles and maximum confidence that what happens on election day is what the voters voted to do on election day.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is a ''Time to Wake Up'' good news-bad news speech.

The good news from last week is on business community support for carbon pricing. What is carbon pricing? Well, remember that IMF—the International Monetary Fund—pegs the fossil fuel subsidy in the United States at more than $600 billion per year, so the energy market is dramatically tilted to favor fossil fuels. Carbon pricing helps

set that right, helps make an even playing field. It is economics 101. And carbon pricing makes a lot of sense.

What happened last week? The Business Roundtable, made up of all of these giant American corporations and more—these are the top 50 that I could fit on this chart, but there are 200 of them—came out in support of carbon pricing. Their report warned that the consequences of climate change for global prosperity and socioeconomic well-being are significant. The world simply cannot afford the costs of inaction.

The Business Roundtable's report went on to urge companies to ''align policy goals and [greenhouse gas] emissions reduction targets with scientific evidence.'' Listen to the scientists. We could do more of that.

The BRT said that a key component of science-based climate policy should be a price on carbon. Here is what they said:

> A price on carbon would provide an effective incentive to reduce [greenhouse gas] emissions and mitigate climate change, including through the development and deployment of breakthrough technologies. . . . Establishing a clear price signal is the most important—

The most important—

> consideration for encouraging innovation, driving efficiency, and ensuring sustained environmental and economic effectiveness.

So this is big news—these are big companies—and this is good news. These companies at the Business Roundtable employ more than 15 million people. They have more than $7.5 trillion in revenues. Their unified voice is a good thing and a big deal.

With all of that good news from all of these big American corporations, what is the bad news? The bad news is that corporate America often shows one face to the world and a very different face to Congress, and the face they show to Congress is not at all aligned with this policy they just announced to the world. This discrepancy, this misalignment, is a persistent problem, and it needs to be fixed.

The problem has three dimensions. One, even these companies don't pay much attention to climate change in their lobbying and election activities. For most, it is zero attention.

By the way, that silence is deafening around here, and that silence by these companies is compounded by the trade associations through which they consolidate their lobbying work. Most trade associations do nothing on climate.

Here is Coke and Pepsi's trade association. By the way, here are Pepsi and Coke on the list of companies that joined the Business Roundtable pro-climate, pro-carbon-price statement. But when they lobby, here is their American Beverage Association, the trade association. As you can see, they haven't been spending much money lately, and they haven't been spending anything on climate.

In 2009 and in 2010, they spent a lot of money. Why? Because we were starting to work on ObamaCare and there was an idea that the companies that sold sugary beverages that created health issues should help pay the cost of the health issues that their sweetened beverages created. So off to battle went the American Beverage Association with millions and millions of dollars in spending.

This, by the way, is just the number of lobbyists. This is their spending. So if they cared about climate change and wanted to put a little bit of lobby pressure on, this is what they are capable of doing. This is what they are doing.

Here is a pitch, in my hands right here, entitled ''TechNet: Remaining Legislative Priorities for 2020.'' This is 13 pages of advocacy for all the things the tech sector wants from Congress through their trade association, TechNet—13 pages. The list goes on and on. ''Top priorities,'' and then page after page, in small print, of all the priorities, of all the things that they want Congress to do for them—and there is not a single mention of climate change, not a single mention of carbon price.

What do you think Congress will respond to—general noise made to the world or your specific asks to Congress?

Here is the list of companies whose CEOs signed that Business Roundtable report and came out for action on climate and a carbon price and who are also in TechNet, which, the week before, came here with 13 pages of legislative priorities that didn't include either climate change or carbon price.

You have to line things up, you guys. These are big players. Look at them: Honeywell, Amazon, Microsoft, Cisco, Dell, Visa, GM, Apple, Comcast, Oracle, Accenture, Hewlett-Packard, and PayPal—all on both sides of the issue within the same week here in Congress. So those are the trade associations that do nothing on this issue.

It gets worse because there are trade associations that are our worst enemies on climate action. In fact, InfluenceMap has done some research and tracked which groups and which corporations are the most climate friendly and which are the most climate hostile. If you look all the way over, right next to Marathon Petroleum in hostility is the U.S. Chamber of Commerce. There was actually a tie. The U.S. Chamber of Commerce and the National Association of Manufacturers were statistically tied as the two worst climate obstructers in America.

So they are out here, having worked hammer and tongs to stop climate legislation and prevent a carbon price, and you have the Business Roundtable statement supporting action on climate change and supporting a carbon price.

So here are the companies that are members of the Business Roundtable and came out last week for action on climate change and supported a carbon price and that are also members of the U.S. Chamber of Commerce, which relentlessly opposes all serious climate action and, specifically, a carbon price.

Look at them all. Look at them all. I don't know if the camera can pan in on that, but these are some of America's biggest corporations. I would bet you that, if this group said, ''Hey, we have just made a new decision over in the Business Roundtable, wearing our Business Roundtable hat,'' and went to the Chamber and said, ''We are not going to do your opposition any longer; we are not going to support your opposition to climate action; we are actually serious about being for climate action and a carbon price''—if all of those companies actually said that to the U.S. Chamber of Commerce and threatened to quit if they didn't clean up their act at the U.S. Chamber of Commerce, that would make a very big difference.

And around here that would make a very big difference because the Chamber is the biggest kahuna of lobbying. It is electioneering all the time, usually against Democrats, almost inevitably for the worst candidate on climate, and they are over in courts and in regulatory agencies opposing climate action all the time. So why support that if what you really support is doing something on climate, including a carbon price?

So the National Association of Manufacturers was the other group in a tie with the Chamber for America's worst climate obstructer. These are all the companies whose CEOs signed the Business Roundtable statement supporting climate action and supporting carbon pricing and are members of one of the two worst climate obstructers in America, at the same time. So that creates a little bit of a problem.

Now, I should go back to the Chamber one just briefly and put a caveat in here. We don't know who all the Chamber members are. It is a very secretive organization. Many of its members report that they are members of the organization, and that is how we can assemble a list like this. But if the company doesn't report that they are members, we don't know.

So this is not necessarily complete, but this is all that we can know out of this secretive, very oppositional, worst climate obstructer organization—the Chamber of Commerce.

There are some other odd discordances among these Business Roundtable leaders. We go back to Business Roundtable membership who signed on this; that is, companies like Google, Amazon, AT&T, and Verizon, which are on the BRT list. There is Verizon right there. They are donors to something called the Competitive Enterprise Institute.

The Competitive Enterprise Institute is the group that put that flagrant, some would say almost nutty, climate denier Myron Ebell onto the EPA transition team. The Competitive Enterprise Institute is a dramatic antagonist to either anything serious on climate

or a price on carbon. Yet companies that signed this Business Roundtable statement support the Competitive Enterprise Institute.

Many people will remember when we came to the floor in groups of Senators to talk about the web of denial and the web of front groups that the fossil fuel industry set up to hide their hands and do their dirty work and stop climate action in Congress. That is the Competitive Enterprise Institute right there—right there, right smack in the middle of the web of fossil-fuel-funded climate denial, and Google, Amazon, AT&T, and Verizon were all supporting that group while supporting the Business Roundtable.

Now, none of this would matter much if Congress was just a sideshow and it was really up to corporations to do their own thing, but that is not the case. Action in Congress is actually the main event in succeeding on climate. That is why the fossil fuel industry has worked so hard to set up this web to deny climate science and to obstruct climate action here in Congress.

So when these Business Roundtable companies come to Congress through their other groups and say, ''Don't bother on climate'' or ''Don't do a carbon price,'' it matters. And it makes it a little hard to really take action in Congress based on their statement that they support climate action and a carbon price when, through other groups, they are funding the opposition to the position that they claim to support.

So, to the BRT, thank you for what you did. I don't want to under appreciate that. It is a big deal. It is a good, good thing. But now you have to make it real. You have to make it real in Congress. No more zero effort from you. No more zero effort from your trade associations. No more support for our biggest climate obstructers from you.

If you want the results of what you asked for, you have to align your actions in Congress with your values. Align what you say in that statement with what you do through your groups here in Congress. That ought not to be much to ask—to align what you do in Congress with what you say you want to do to the outside world.

I have a few suggestions, if you are interested. One, think about commissioning a lobbying and electioneering audit of your own company. If you are the CEO, commission an audit of your own company's lobbying and electioneering so you actually know what your company is doing on climate.

I suspect a lot of the CEOs signed this in good faith. They don't know. So commission an audit. Learn what your company is really doing on climate.

Do an audit of your trade associations. If you are a member of a trade association, get in there and see what they are up to. I bet that you will find that what I say is true.

Three, demand that your trade associations declare where they get their money. It seems obvious that the reason that the U.S. Chamber of Commerce and the National Association of Manufacturers became the two worst climate obstructers in America is because they were paid to. If you, CEOs on the Business Roundtable, had known that, this might not have happened. We might not have been here by now.

It is very likely that the Chamber and the NAM leaders snuck up on you, taking floods of fossil fuel money that they didn't tell you about and selling out their organizations to the fossil fuel industry, leaving you high and dry, having to explain why you are supporting the two worst climate obstructers in America.

So do your audit, and then give those trade associations a deadline to align with your policy or you will quit—you will quit on the deadline if they haven't. Don't let them slow-walk you through endless discussion and process while they are still loading up on fossil fuel money and running fossil fuel errands in your names. Don't let them do that.

Finally—finally—recommendation five, ask your lawyers. Ask your lawyers, particularly if you are on the board of climate obstructer groups: If these groups were trafficking in fraudulent information, what is the board's responsibility? That is a lawyer question.

If they loaded up with fossil fuel money, how was your due diligence on the board of that organization in detecting that warning signal that your trade association had loaded up with fossil fuel money and was arguing against your position when it came to Congress, carrying the water for the fossil fuel industry? Your lawyers may have some advice about whether you have met due diligence.

Final point, climate is not really a partisan issue. It wasn't in 2007 to 2009, when Senator CARDIN and I got here and the Senate had multiple bipartisan climate bills.

It wasn't in 2008, when Republican John McCain had climate on his party platform as the Republican nominee. It all started with Citizens United in 2010, when the fossil fuel industry was allowed to trade up its political weaponry from muskets, corporate PACs, to tactical nukes, unlimited spending, secret super PACs, phony front groups—the whole apparatus of climate obstruction.

Today, as a result of that, the Republican Party has been so captured that on climate it is little more than the political wing of the fossil fuel industry. It doesn't have to be that way.

To these big companies who signed this wonderful pledge: Fix your politics, push back on the fossil fuel obstruction, clean up your obstructor trade associations, wake up your sleepers, and make climate a real priority in Congress, and you will see what looks like magic begin to happen.

For you all, it is less time to wake up to climate change than it is time to wake up to your own political indifference and presumably unknowing complicity in the political logjam on climate action that the fossil fuel industry has deliberately created here in Congress.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I want to thank Senator WHITEHOUSE for his longstanding leadership in the U.S. Senate on addressing the concerns of climate change. He has been there every week, every day, leading us to take action to prevent the horrors of climate change.

We have made some progress but not enough under his leadership. We have to do more, as he points out, and what he just told our colleagues. But I just really want to thank the Senator—as I look at the wildfires in the West, I look at the frequency of the hurricanes, when I look at the receding shorelines in Maryland, as I look at our efforts on the Chesapeake Bay—and recognize that if we don't do what we need to do, what science tells us we could do on carbon emissions, we are doing this at our own peril.

It is not just America. It is the global communities. It is our leadership globally. Senator WHITEHOUSE and I traveled with other Members of the Senate to the climate meetings, and we made progress. We have to get back to it. I just want to thank Senator WHITEHOUSE for his leadership.

CORONAVIRUS

Mr. President, on Sunday, the Washington National Cathedral marked the 200,000 American lives lost to COVID–19 by tolling the Bourdon Bell 200 times—once for every 1,000 lives lost. Nearly 113,000 people have died since May 15, when the House of Representatives passed a comprehensive COVID–19 relief package known as the Heroes Act.

As of September 20, the 7-day moving average for new infections was over 41,000. The 7-day moving average for new deaths was almost 800. Put another way, from a fatality standpoint, we have the equivalent of the 9/11 terrorist attack every 4 days. The United States, which has 4.3 percent of the world's population, accounts for 21.1 percent of the COVID–19 deaths worldwide.

When President Trump delivered his Inaugural Address in January 2017, he stated:

> This American carnage stops right here and stops right now. We are one nation. . . . We share one heart, one home, and one glorious destiny. . . . So to all Americans in every city near and far, small and large, from mountain to mountain, from ocean to ocean, hear these words—you will never be ignored again.

Fast forward to last week when President Trump—referring to the total U.S. fatalities—said:

> If you take the blue states out, we're at a level that I don't think anybody in the world would be at. We're really at a very low level.

Of course, talking about COVID infection.

President Trump has said many appalling things. Dividing America during a pandemic into so-called blue and red States and devaluing the lives of Americans from blue States may be one of the most appalling things so far.

As former Secretary of Homeland Security and Republican Governor of Pennsylvania, Tom Ridge, remarked, ''It's so unworthy of a president. It's beyond despicable. It's soulless. It's almost unspeakable in the middle of the pandemic to try to divide the country on a political basis when COVID–19 is really bipartisan.''

Not only was President Trump's statement appalling, beyond despicable, and soulless, it belies the fact that COVID–19 does not care about State boundaries or any other boundaries. The States that President Trump lost in the 2016 election currently account for about 12,000 more COVID deaths than the States that he won. But the 11 States with the highest number of COVID–19 cases per million residents are all States that he won, and 14 of the 19 States with caseloads above the national average are States that he won. So the grim gap is closing, but it really should not matter because we are the United States of America. I wish President Trump could understand that.

Speaker PELOSI has stated that she intends to keep the House in session until Congress passes another comprehensive COVID–19 relief package. And I agree with the Speaker.

The Senate may adjourn as soon as it passes the fiscal year 2020 continuing resolution to keep the Federal Government open. I fear this would be a grave mistake and an abdication of our duty. The Senate should take up the Heroes Act. The so-called skinny amendments Senators JOHNSON and MCCONNELL brought to the floor over the past few weeks were so woefully inadequate they failed the fundamental test of serving as the beginning block for a bipartisan compromise. Even President Trump indicated the Senate Republicans need to do more.

I would like to take the next few minutes to outline some of the things we need do to respond appropriately to the twin health and economic crises our Nation faces.

Remember when President Trump promised that the novel coronavirus would magically disappear as the weather got warmer? Well, that did not happen, and now summer has turned to autumn; the weather is starting to get cold again; and the flu season is approaching.

The next COVID–19 supplemental package should include provisions that increase the Federal Matching Assistance Payment, FMAP, and maintain Medicaid payments and permanently expand telehealth flexibilities that have increased healthcare access to patients around the country and address health disparities that COVID–19 pandemic has worsened.

The Urban Institute estimates 12 million additional Americans will turn to Medicaid for access to affordable healthcare amid the pandemic. In my State, more than 45,000 Marylanders are newly enrolled in Medicaid. At the same time, State revenues are plummeting, leaving States facing budget deficits that could amount to $555 billion through 2022.

If unaddressed, these budget shortfalls will lead States to making dramatic cuts to Medicaid, just as they did during the past economic downturns, at a time when those newly and previously enrolled need healthcare the most. The National Governors Association has called on Congress to further raise the FMAP and maintain access to essential Medicaid benefits.

Another important policy that will increase access to healthcare services during the COVID–19 pandemic is permanently extending telehealth permissions and privileges implemented under the CARES Act. Specifically, Congress should permanently remove regulatory barriers so that patients in rural, underserved, and urban areas can use telehealth to see their primary care providers, mental health counselors, and chronic disease management teams. Reimbursement for these services should adequately reflect the care delivered and allow patients to use their homes to receive these services. Telehealth increases access to care in areas with workforce shortages and for individuals who live far away from healthcare facilities, have limited mobility or transportation, or have other barriers to accessing care.

This is a bipartisan proposal to expand telehealth. It makes abundant sense. We have done it. Now let's make it permanent. That helps rural America; that helps people who have a hard time with transportation to get to where they need to be; it is more efficient; and it is safer. Let's make sure that is done before we leave.

At a time when many are unable to visit their health provider in person, we must depend on telehealth to deliver high-quality healthcare to millions of Americans around the country.

We have seen how COVID–19 has disproportionately affected communities of color, highlighting how the United States fails to extend critical resources, support, and healthcare access to these communities. According to the data from the CDC, communities of color experience higher rates of hospitalization and death from COVID–19 than White people do. Black Americans, Native Americans, Alaskan Natives are five times more likely to be hospitalized than White people are.

African-American Marylanders account for 30 percent of our State's population but 41 percent of its COVID fatalities. Marylanders of Latin American descent account for 17 percent of the State's population but 21 percent of its cases.

This is why the next supplemental package must focus on and contain policies that address health disparities that have been worsened by the COVID–19 pandemic.

I have authored two bills focused on addressing health disparities: One, the REACH Act, with Senator SCOTT of South Carolina; and, two, the COVID–19 Health Disparities Action Act with Senator MENENDEZ. Both bills create targeted grant programs that would help community-based organizations and local health departments provide culturally appropriate outreach, education, and health services to Black, Latino, indigenous, and our communities of color. Both bills are important steps to rectifying the ills of systemic racism from going forward.

Communities of color have longstanding and tragically appropriate mistrust with the medical community, for good reason, sadly. Our government deliberately misled Black patients and research participants during the Tuskegee Syphilis Study. Today, physicians still undertreat or underdiagnose pain in patients of color. The REACH Act and the COVID–19 Health Disparities Action Act should be included in the next COVID–19 supplemental to help promote trust within the communities of color for future COVID–19 responses, as we look beyond the pandemic.

Since the start of the COVID–19 pandemic, our State and local governments have faced significant financial challenges to meet declining revenues, as well as emergency costs related to COVID–19. It is well beyond time we listen to those on the ground dealing with the COVID–19 pandemic and provide them the resources they need.

What does this mean for communities back home? For our municipalities, it is funding for first responders and community services. For our counties, it is funding for schools. For our States, it is funding for public health.

The revenue losses our State, county, and local governments face are dramatic, and they threaten to cause deep, lasting cuts to public safety, education, public health, and other critical essential services that will adversely affect far beyond the public health battle against COVID–19.

Our Governors have issued a bipartisan plea. Governor Cuomo of New York, a Democrat, and Governor Hogan of Maryland, a Republican, who are the chair and previous chair of the National Governors Association, respectively, joined with all of our Nation's Governors—all—in April to say they need help from the Federal Government.

They need help to maintain critical missions of public safety, public health, and public education with at least $500 billion for our States and additional funding for local governments beyond what we already provided under the CARES Act.

The Heroes Act, which has passed the House, provides $875 billion for our State and local governments. Of that amount, $500 billion goes to meet the State's needs, and $375 billion goes to meet local government needs, with one-half to the counties and one-half to

municipalities. This funding goes directly to counties and local governments of all sizes to support their urgent needs. The funding is meant to address urgent COVID–19 response activities, and State and local governments may also use it to replace lost revenue to avoid making draconian cuts to essential services.

That would go a long way to meeting the needs of our local first responders, our police, our firefighters, our sanitation workers, and our educators.

The Senate Republicans' HEALS Act, in its most recent iteration, provides no new funding to help State and local governments; rather, they merely extend the deadline for use using CARES moneys. That is not adequate. We must do more.

This is too little, too late. Our State and local communities in Maryland have already allocated funding for programs that support renters, small businesses, and support frontline workers who face increased risk of exposure to COVID–19. Those dollars are spoken for.

I urge my colleagues to recognize the lasting harm the failure to support our State and local governments will cause and support the NGA's bipartisan request to provide additional funding to State and local governments.

If we learned anything when the school year ended so abruptly this past spring, it is a greater appreciation for our educators and the work they provide for our students in the classroom. It is so difficult to duplicate the interaction between educators and students, yet our colleagues across the aisle appear to be unwilling to provide our local school systems with the resources they need to allow school systems to educate students safely this fall.

Our local school leaders are making incredibly difficult decisions while facing political pressures from the Trump administration to ignore public health recommendations from Federal, State, and local officials; legitimate concerns from educators on the safety of returning to the classroom; and questions from parents who need answers on how to continue their child's education while meeting their own work responsibilities.

With dwindling State and local government revenues because of COVID–19, the school leaders have already started to face budget crunches even as schools' financial needs have increased things like cleaning supplies now necessary to meet CDC public health guidance, educational technology, and trainings for educators to meet the new demands of online education.

Without additional Federal resources, we fail to provide our local school leaders with the tools necessary to strike the balance between maintaining the highest quality level of education for our children while protecting student and educator health.

The Heroes Act provides $100 billion for a State-level Fiscal Stabilization Fund for education, with $90 billion for States to support their public institutions of education. In Maryland, this would provide nearly $900 million for our local school districts for meeting the needs of growing numbers of low-income students and our children with special needs; retaining educators vital to the education of our children; and ensuring that schools have resources to improve the virtual learning environment that frustrated so many students, parents, and educators last spring.

This funding would rightly support the decisions of local school and public health officials on how schools may reopen in the fall, whether virtual or in-person or hybrid. It does not attempt to coerce school districts into reopening their classroom doors in an unsafe manner as the only way to receive critically necessary Federal funds.

The Federal Government should provide local leaders with adequate resources to support well-informed and reasoned public health decisions rather than dangerously mandating school reopenings. In addition, the Federal Government needs to take the leadership in eliminating the digital divide. Access to reliable internet service should be available to every household in America.

The best action Congress can take to help small businesses is to provide State and local governments, health providers, and first responders with the resources they need to protect our communities from COVID–19, as I mentioned a moment ago. I am proud to be the ranking Democrat on the Small Business and Entrepreneurship Committee. I have worked very closely with Senator RUBIO on proposals. First, we have to get this COVID–19 under control. Only after it is safe for small businesses to resume full operations and safe for parents to send their children to school will our economy truly begin to recover.

Getting the virus under control is especially important for small businesses in the food services, hospitality, live events, travel and tourism sectors. Businesses in those sectors are especially reliant on large gatherings in order to make a profit.

Restaurants, for example, have been able to make up for lost indoor dining capacity by increasing their outdoor dining capacity, which will become increasingly difficult in many parts of the country as the weather gets colder and more inclement.

Similarly, communities that rely on tourism revenues generated during the winter months, such as Deep Creek Lake in my home State of Maryland, are likely to experience decreased cashflow this year due to the pandemic. Employers on the Eastern Shore missed their prime summer months. Congress cannot leave small businesses and the communities that rely on them out in the cold.

In addition to getting the pandemic under control, Congress must build on the lessons learned during past economic downturns. The most important lesson is that there is no one-size-fits-all solution to rescue the economy during a crisis. To help the most employers we can, Congress must preserve the multiple support tools in the toolkit.

There is already bipartisan consensus that we must provide small businesses with a second Paycheck Protection Program loan. More than 3 months ago, Senators COONS, SHAHEEN, and I introduced legislation to create the Prioritized Paycheck Protection Program, which would provide vulnerable small businesses experiencing significant losses due to COVID–19 with a second capital infusion. Our proposal—P4—would allow small businesses that have 100 or fewer employees to receive a second PPP loan if they can demonstrate a loss of revenue of 50 percent or more due to the pandemic. The bill would also reserve $25 billion for small businesses with 10 or fewer employees and extend the deadline to apply for an initial PPP loan through the end of this year.

There is also bipartisan agreement on the need to improve the Economic Injury Disaster Loan Program, EIDL. I support Senator ROSEN's and Senator WARREN's efforts to shore up the EIDL Program so that more small businesses have access to the long-term, low-interest rate loans the program makes available. With their maximum loan amount of $2 million and repayment terms as long as 30 years, EIDLs provide small businesses with flexibility, capital that they can use to retool their businesses to respond to COVID–19.

There is also bipartisan agreement on the need to expand the employee retention tax credit, which is a provision from legislation I introduced with Senator WYDEN that was included in the CARES Act. The House acted on this bipartisan agreement. The Heroes Act makes substantial enhancements to this program so that it could benefit close to 60 million workers and over 6 million businesses.

If the Senate fails to act now—before adjourning—to support small businesses by getting this pandemic under control and providing capital to our small businesses, our communities will pay a heavy price for that inaction, as many more small businesses will close their doors, and I am afraid they will do it permanently.

Studies have shown that maintaining the employer-employee relationship is key to a swift, robust recovery. With tens of millions of Americans relying on unemployment benefits and permanent job losses on the rise, it is critical that we do all we can to keep workers connected to their jobs and prevent further layoffs. I am disappointed that, despite bipartisan agreement on several of the measures needed to support American small businesses struggling to survive COVID–19, the response to the pandemic has turned into a partisan fight.

For the sake of our communities and small businesses, I urge my Republican

colleagues and President Trump to accept Speaker PELOSI and Senator SCHUMER's offer to meet Democrats in the middle so we can pass a bipartisan bill that helps our communities get COVID under control and begin the recovery process.

The Heroes Act also extends the weekly $600 emergency Federal unemployment payment. This special benefit lapsed in July. President Trump's program to provide $300 a week in emergency benefits through FEMA is a weak half measure, and Congress must do more. These extra 6 weeks will expire very shortly, and it comes out of the FEMA funds, which are desperately needed as we know how many emergencies are occurring throughout our country with the wildfires and the hurricanes.

The full benefits the Heroes Act provides would strengthen the critical safety net for the record number of Americans who are unemployed as America faces its most serious economic challenge since the Great Depression.

By way of example in Maryland, we are seeing first-time claims for unemployment benefits at a rate of about 13,000 a week, peaking in early May, with nearly 110,000 new weekly claims filed. We have seen the total number of filings since March exceed 1.5 million. These are numbers that cry out for us to extend the unemployment benefits. We really need to do that, and we need to do that before we leave.

These are some, but not all, of the issues we must address immediately and for a sustained period. Former President Harry Truman had a sign on his desk in the Oval Office that said: ''The buck stops here.'' ''Passing the buck'' means something entirely different to President Trump. On March 13, 2020, as we began to grasp the magnitude and impacts of the coronavirus, President Trump said: ''I don't take responsibility at all.'' That may be the most honest and accurate thing he has said since he has become President. We have ample evidence to take him seriously. Therefore, it is up to Congress to provide the leadership and relief Americans desperately need.

The House has done its part in passing the Heroes Act. It is now time for the Senate to act.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

GOVERNMENT FUNDING

Mr. LANKFORD. Mr. President, here we are again. It is late September, and the budget work has not been completed yet. It seems terribly familiar to this body, and it is frustrating. It is not as if no one knew September was coming; it was on the calendar. When I first looked at it in January this year, September already existed on the calendar.

It is not as if we didn't know what all the deadlines were. Everyone knew full well what all the deadlines were.

We can say it is the pandemic that slowed everything down, except for the fact that all of the appropriations work could have already been done, and much of the committee work could have been done. Some was done by the House but not completed. It can be done by the Senate, but it was not.

So here we are again, watching the countdown clock toward a government shutdown as we discuss what happens next.

Things have been tied up this week with what is called a continuing resolution. This body knows—others may not—that a continuing resolution is literally taking last year's appropriations bills, changing the dates, and moving them over to the new one. This particular continuing resolution stretches until December 11, when we would have to pick it up and pass more appropriations for another continuing resolution at that time.

The fight this week has been over whether we are going to support rural America and agriculture. The House originally drafted a continuing resolution that left out all of the agriculture projects that were in it. The Senate, obviously, threw a fit over that and asked: Why are we supporting everything, including benefits to Sri Lanka to get added to the House's proposal for the continuing resolution, but you won't do so for America's farmers?

So, in the back-and-forth conversation this week, the House had to extend. Then it went another day. Then the House finally put the agriculture projects back in—and still left in, by the way, benefit for Sri Lanka.

Our ongoing conversations continue, though, about airlines. On October 1, airlines across the country are going to lay off 100,000 people—100,000. We have asked for some engagement on the issue of these airlines. In the CARES Act, back in March, we gave an extension to those airline workers so that the airline workers and the airlines could still stay connected to each other even when we were in this downtime. We are getting very close to a vaccine. It is like we can see the light on the other end of the tunnel, but it is not a train this time; it is actually light. We are going to get through this pandemic, but for whatever reason, the House refuses to deal with the issue of how to help airline workers at all, not even to do half of what was done in the past, not even to do a portion of what was done in the CARES Act. It has been exceptionally frustrating.

It has been the same issue with the House in its not wanting to do anything on the Paycheck Protection Program. For the smallest businesses in America and for nonprofits, the House has put out a multitrillion-dollar proposal, and it doesn't even include anything for small businesses.

We have continued to ask how we can address the issue of small businesses here. How can we extend the Paycheck Protection Program and give a second round to the hardest hit businesses? We don't think it is that unreasonable. As we are nearing the end, we need to help them bridge the gap at this point, but for whatever reason, it is not included either as we work our way through this process.

Now, I don't know what will happen in the next few hours as we deal with the continuing resolution that will come from the House, but there is no reason we should be talking about a government shutdown again.

A year ago, I and Senator HASSAN, the Democratic Senator from New Hampshire, sat down to talk through how we could end government shutdowns forever so that government workers across the DC region and across the country would not be living in fear of being furloughed and so that Americans who would want to be able to connect with different agencies would be able to do that at all times, but we would still be able to have the arguments that are needed to be able to resolve budget issues.

It may be surprising to some people across the country that Republicans and Democrats don't agree on everything in the budget. Shocking, I know. We should be able to have that fight, though, on the budget, but it should not lead to a government shutdown in the process. Government shutdowns cost us money every time it happens.

So my and Senator HASSAN's simple resolution resolves the issue by just asking one question: Who needs pressure applied to them to deal with the issue, and what is the pressure that needs to be applied?

Our straightforward answer is this: Members of Congress and our staffs and the Office of Management and Budget and the White House should have the pressure applied to us to get it done. The easiest way to apply pressure to all of us is to take away our time. It is pretty straightforward.

Here is our proposal: If you get to the end of the budget year and the appropriations work is not done, we will have mandatory quorum calls in this body at 12 noon every single day, 7 days a week, until we get all of the appropriations work done. None of us could travel. We would all stay here in DC.

I will tell you that I really want to see my family on the weekends. I also have people back in my State with whom I have appointments whom I need to be able to see, and I have responsibilities there. I want to get back to my State of Oklahoma and be with those folks.

I am sure all of you would love to get back to Oklahoma, but you would probably head back to your States instead.

We want to be home. We want to be able to meet with our constituents. We want to take care of the practical needs that are there. The way to do that is to get our work done here.

I have had folks say: Well, just take away everyone's money. Say, ''No budget, no pay.'' It makes a great bumper sticker. The problem is, as many people in this body know, there are a lot of folks in this body who are multimillionaires, and if they were honest, they would say their congressional salaries are rounding errors to their investments every month.

Good for you, but it is not a pressure point. Taking away your congressional salary is not an emphasis to actually get the work done.

Taking away time is a way to be able to press people to actually get their work done.

Senator HASSAN and I have worked it through the committee process; have passed it through the Homeland Security Committee; and have set it up. It has already been rule XIV'd, and it is on our Calendar now. At any moment, we in this body could determine to end government shutdowns. We will never have one again. If we get to the end of the fiscal year, a continuing resolution will kick in automatically, and we will all stay until we finish the negotiations for the appropriations work. However heated, however long that may take, we will stay and finish it until it is done.

It is the right thing for us to do, and it is the right way to handle it. It is not pressure on the Federal workers. The Federal workers don't have the ability to make the decision here.

Some people say: Well, those folks in DC can just tough it out anyway.

Well, it is not just those folks in DC, though there are a lot of folks in DC who are working very hard for Americans all over the country. Just in my State of Oklahoma, there are 4,300 Federal employees who work in agriculture, who work for Housing and Urban Development, who work for the FAA—who work for all kinds of entities that take care of families in Oklahoma. They also deserve the privilege of continuing their service to their neighbors, just as always, while we are resolving our differences here.

So my request is the same as it was last year: Why are we talking about the possibility of there being a government shutdown again when we could take that off the table forever with a straightforward, bipartisan proposal that says we will never again have a government shutdown?

We will work out our differences because we do have differences, but we will not hold Federal workers hostage in the process. We will just stay and work out our differences.

I look forward to seeing the vote on the continuing resolution and avoiding a shutdown again, but I look much more forward to never having shutdowns again when Senator HASSAN's and my bill is finally voted on and passed.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Nevada.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Ms. ROSEN. Mr. President, I stand here to honor the life and legacy of Supreme Court Justice Ruth Bader Ginsburg.

In everything Justice Ginsburg did—from her pivotal role in the fight for gender equality, to her storied legal career, to her serving on the DC Court of Appeals and, ultimately, as a member of the U.S. Supreme Court—throughout her life's journey, she used every ounce of her ability to give voice to the voiceless and build a more just and equitable world.

Justice Ginsburg was a lion on the bench. She ruled on monumental and historic cases, and the decisions she made—and even the dissents she wrote—have shaped this country and set us on a better path.

This remarkable woman inspired countless Americans to fight for the best of us even when it was hard, even when it was inconvenient. I know I wouldn't be here without Ruth Bader Ginsburg's leading the way. We have a responsibility to honor her legacy, her work, and the ethos of Justice Ginsburg. Part of her legacy was her decision to uphold the constitutionality of the Affordable Care Act, and we have seen too many attempts to dismantle this key cornerstone of her legacy.

In my time as Senator, I have met countless Nevadans, and I have had the chance to speak with Americans from all across the country. I can say with certainty that there is no issue that matters more to the American people than their health, especially now.

This administration has worked since day one to take healthcare coverage and critical protections away from millions of Americans. It has failed time and again to dismantle the ACA through legislation, and it has also attempted to destroy and dismantle the ACA through the courts.

In one of my first actions as a Senator, I co-led and helped to introduce a resolution to defend the Affordable Care Act's constitutionality against this administration's assault. In my first speech on the Senate floor, I called on the Senate to take it up and pass it. I cannot even begin to count the number of Nevadans who have shared how they would be affected by the ACA's demise. Everything is at stake if these individuals and these families are denied access to care.

Justice Ginsburg's replacement will help to decide whether individuals with preexisting conditions can be denied coverage and, thus, be left behind. Let me be clear: What this potentially means is that any of us with a preexisting condition could no longer obtain health insurance.

This next Justice will decide if we see an end to the tax credits that make healthcare coverage affordable for middle-income families.

This next Justice will decide if we see an end to preventive care without copays.

This next Justice will decide if we see an end to the ability of young adults, until the age of 26, to stay on their parents' insurance.

This next Justice will decide if we see an end to expanded Medicaid benefits, which have helped over 200,000 Nevadans get coverage.

This next Justice is going to decide who has healthcare during an unprecedented and deadly pandemic that has already, tragically, taken the lives of over 200,000 Americans.

This next Justice will also decide if the nearly 7 million Americans who have already tested positive for COVID can be denied healthcare coverage because they contracted a disease that this administration initially ignored and has been unable or unwilling to combat with a national plan.

So much hangs in the balance for the American people. Millions could lose healthcare because of this Supreme Court pick. We could go back to a world in which people with preexisting conditions could not afford to pay for lifesaving medicine or treatment. Using the courts to take away the American people's healthcare, especially at this moment in our Nation's history, is not only cruel—it is dangerous.

Amid a global pandemic and the worst economy in generations, our top priority right now should be the needs of the American people—the relief and care that matches the urgency of this crisis. We cannot afford to play political games or to threaten the American people's health coverage when they need it the most. The American people deserve better. They deserve the stability and security of healthcare coverage for themselves and their loved ones.

I ask that my colleagues truly listen to the American people, who need us now more than ever.

I had hoped that my Republican colleagues would have honored their own precedent in this process—the McConnell rule—and ensured that the American people would have their say at the ballot box before filling any vacancy. Instead of political gamesmanship, I ask that my colleagues honor the dignity of our democratic institutions and the health of the American people.

In 2015, when asked how she would like to be remembered, Justice Ginsburg responded: ''As someone who . . . [helped] repair tears in her society, to make things a little better through the use of whatever ability she has.''

That is how she wanted to be remembered.

We, too, have the ability to repair tears in our democracy, and we, too, have the ability to make sure things are better for all Americans by ensuring that their health remains protected.

I urge my colleagues to follow Justice Ruth Bader Ginsburg's example and honor her life and her life's work.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CORONAVIRUS

Mr. PORTMAN. Mr. President, I am on the floor today to talk about what the Senate and the House ought to be doing before we leave town for the election, and that is helping people who are in need because of the impact of the coronavirus.

I know this is the week when we are focused on the passing of Justice Ruth Bader Ginsburg, and that is appropriate. There is a lot of discussion also about filling her seat.

We should, of course, all take time to mourn our Nation's loss, but we are also in the middle of an unprecedented healthcare and economic crisis. I think we have a responsibility to continue working on COVID–19 legislation to respond to those challenges.

Since this crisis began, Congress has actually come together repeatedly, as Republicans and Democrats, House and Senate, and working with the White House, to pass five coronavirus relief bills—legislation to address both the healthcare crisis and the economic free fall that was caused by the virus and the shutdowns. The biggest of these bills was the one you hear about the most—the roughly $2 trillion CARES Act that was passed by a vote of 96 to 0.

Again, these have been bipartisan efforts up until now. Unfortunately, since May, when the last of these five bills was enacted, partisanship has prevailed over good policy, and Washington has been paralyzed, unable to come together for the public good.

Last week I came to the floor to highlight how this dynamic has played out with regard to a single issue that has become strictly important for so many people in my home State of Ohio and around the country. That is the expanded Federal unemployment insurance supplement included in the CARES Act back in March.

I had a tele-townhall last night. I am trying to do a tele-townhall or a Facebook Live townhall every week during the pandemic, in part just to stay in touch with people because it is so hard back home now to visit with people in person. Again last night, I had two callers call in, both of whom are taking advantage of the current $300-per-week Federal supplement provided really by the Trump administration, and they talked to me about how they are going to plan for the future.

These are individuals who don't have a job to go back to. One, by the way, is a musician who makes his living playing music—the piano and singing and so on—at long-term care facilities, nursing homes, and each one of his previous clients has said that he is not welcome to come back now, for good reason. But that makes his life pretty tough because that is what he does for a living.

So his question to me was this: You know, look, I really appreciate the 300 bucks. I need it to get by. And I got my rent, I got my car payment, and what are you guys going to do about that?

Well, the truth is, nothing at this point, and that is too bad because that $300 supplement has now ended. In effect, what the President did to continue some help at the Federal level had limits because he did it under the only choice he had, really, which was the Disaster Relief Fund, and that has now run out. So that is where we are.

Early on in the pandemic, both Republicans and Democrats recognized the need to bolster the State-run unemployment insurance programs to help offset the massive job losses we saw in March and April. The initial amount was $600 per week, and it was provided by the CARES Act. It came at a big cost to taxpayers. It also provided an income source that made the difference for a lot of folks in the State of Ohio and around the country.

During those early months, you remember the government was actually shutting down a lot of businesses, and workers were losing their jobs through no fault of their own, like this individual last night—through no fault of his own not having a job.

As the year has gone on, we have made progress. We slowed the spread of the coronavirus in most States. We have added more testing and personal protective gear. More and more parts of our economy have been able to reopen in a safe and sustainable manner, and that is great. With the reopening, hiring has picked back up, and we now have far fewer people on unemployment insurance than we did at the beginning of this pandemic.

Unemployment is now about 8.4 percent. That was the number for August—down from over 15 percent back in the spring. That is a big change. Over 4 million jobs have been added. At the same time, 8.4 percent is still high—very high. Remember, we were at about 3.5 percent in February of this year.

By the way, February was the 19th straight month of wage increases of over 3 percent. We had record-low unemployment for many sectors of our economy, and here we are at 8.4 percent. So we are not out of the woods yet. We still have a way to go. Ohio's unemployment number just came out the day before yesterday. For August, it was 8.9 percent. So 10 percent unemployment is something we are now under. In fact, we are under 9 percent, which is way, way faster than the projections. But still, 8.9 percent unemployment in Ohio is something that we need to focus on.

I will say that overall, we are going in the right direction and that unemployment claims, I think, are now either steadily dropping or holding level in almost every State. That is certainly true in Ohio.

So it is fair that Congress wanted to take another look at that original unemployment insurance supplement, which was set to expire at the beginning of August, and it did expire, and we wanted to look at it to see what the new supplement ought to be given the changing economy and given some of the improvements that we saw and also given the need for more workers as more businesses were reopening.

Now, $600 per week was a relatively generous benefit—to the point that the Congressional Budget Office, the nonpartisan group around here that gives us advice, said: If you kept that $600 until next year—which is what the Democrats proposed in their Heroes Act—8 out of 10 people getting 600 bucks a week would be paid more on unemployment insurance than they would be at their jobs.

In other words, you would be making more money unemployed than you would if you were working. That is not the way unemployment insurance is supposed to work. That is not good for an economy that is trying to reopen.

I have been all over my State and talked to employers—small, mid, large-size employers. I have talked to the nonprofits. I have talked to people who are working hard to try to provide care to people in the healthcare sector. They all tell me the same thing: That $600 is a problem because some people were not coming back to work because, again, for most of those people, they could make more on unemployment than they could working. So we needed to adjust it. Yet Democrats insisted 600 or nothing—or nothing—and so we got nothing.

Some of us had proposed $300. In that case, some people would be getting paid more on unemployment, but most would not. In fact, most of them would be getting less than some percentage of their salaries. But, again, if you lose your job through no fault of your own, particularly because of a government decision to shut down your sector—say a movie theater or a bowling alley or a bar—it seems to me that we ought to be helping.

So the $300 that we proposed was to go until toward the end of the year, but Democrats said no—kind of a ''my way or the highway'' approach, like it is going to be $600 or we are going to give these people nothing. We gave people nothing. To me, that was a big mistake.

A number of us came to the floor and actually said: Let's continue $600 for a week so we can negotiate something.

Democrats said: No. We want to end it. We don't even want to have it temporarily at $600 to be able to negotiate something between Republicans and Democrats.

That is too bad.

When Congress failed to act, President Trump and his administration stepped in, and they said: $300 is about the right number. We will provide the States a $300 supplement through what is called the Disaster Relief Fund.

Now, in the CARES legislation we talked about earlier, which was the $2 trillion legislation that passed 96 to 0 around here, a lot of money went out for various causes—for our hospitals, for our schools, and for our families through unemployment insurance. But it also provided some funding for what is called the Disaster Relief Fund for COVID–19 purposes. So the President took some of that money for COVID–19 purposes out of the Disaster Relief Fund and said: We are going to, for 6 weeks, allow the States to use this $300 supplement if they choose to do so.

They also encouraged the States to provide their own match. What happened was, every State but two took the government up on that. So the vast majority of States said: Yes, we will do it.

They didn't add their match, by the way, but they did take the 300 bucks, and a lot of people have been helped by that because over the past 6 weeks, that funding has been available. Unfortunately, sometimes it got paid as a lump sum because by the time the State systems figured out how to administer it, you know, we were close to the end of the 6 weeks. But people knew that was coming. They knew they had 300 bucks for paying their rent, paying their car payment, paying their mortgage, and that was helpful. That was helpful.

Now we are at a point where President Trump's emergency Lost Wages Assistance Program, which is what that was called—the Lost Wages Assistance Program under the Disaster Relief Fund—has tapped out. Forty-four billion dollars was made available to the States, leaving $25 billion in that Disaster Relief Fund because that $25 billion was what was projected to be necessary to deal with the natural disasters.

So that is where we are today. Forty-four billion has been depleted. People who have had unemployment insurance since this disaster began are not going to have it now. It is going to end. For many people, it ended this week; for some, next week; for some, the week before.

The point is, we as a Congress need to act. My view is, let's provide some more funding for the Disaster Relief Fund, at least. If we can't come together with a big COVID–19 package that helps the schools, that helps small businesses with the Paycheck Protection Program, which I support extending, that helps with regard to getting more money for testing and getting our vaccine more quickly and getting the therapies up, let's at least provide the administration with some funding in the Disaster Relief Fund so they can continue to respond to need.

Let's also provide them that funding because they need it for natural disasters. What do I mean by that? Well, the other thing that has happened in the last 6 weeks, as you probably noticed, is that we have had a lot of natural disasters in the West with fires and in the South with hurricanes. So that funding left in the Disaster Relief Fund ought to be supplemented for that purpose as well.

This is a temporary program meant to provide a bridge while Congress acts. And it would be great if Congress were to act, but, frankly, I am getting kind of discouraged about Congress's ability to come together again on a bipartisan basis, as much as I wish we would.

I have spoken on the floor about what I think I can see as the points of compromise and the overlap between our two approaches because there is a lot of it. Every single Republican save 1, 52 Members—a majority of the Senate—voted for a proposal a couple weeks ago that was viewed as a targeted proposal that did provide help for COVID–19 for families, for small businesses, and for healthcare.

Democrats had their own idea, which is the $3.5 trillion that they wanted. Ours was about $500 billion. There is something in between there. We could come together with something that is sensible, but it looks like that is unlikely.

So at a minimum, let's move forward with these unemployment insurance supplements that we have been doing. Let's give the administration the ability to do it again through the Disaster Relief Fund. This funding shortage would be easy for us to put into the legislation that is likely to come before this Chamber in the next 24 hours, which is the continuing resolution. That is the funding that is going to pay for government to continue operating.

You know, Congress is supposed to pass individual appropriations bills. There are 12 of them. We didn't do them this year because of the partisan gridlock around here, so once again we are turning to a continuing resolution to provide the funding going forward.

The House is acting this week, and we are going to act this week or early next week, as I understand it. It would be the perfect place to put more funding into this Disaster Relief Fund for us to be able to provide that $300 benefit that the administration has been providing to all States but two and to also provide for more help for the natural disasters that are upon us.

Senator THOM TILLIS and I have proposed legislation to do just that. We have a bill out there that we hope Congress will be willing to pass, and we are also interested in adding it as an amendment to the continuing resolution, to the appropriations bill that is on its way through here.

With Congress deadlocked on how to come up with a broader solution for COVID–19, let's at least do this. Let's say to the administration: We want you to continue this program that is now in place. The States know how it operates. The States have been implementing it.

My home State of Ohio has provided funding to people through this. We are appreciative of it.

Our proposal is very straightforward. It simply appropriates $86.6 billion to replenish the Disaster Relief Fund, first to give FEMA the resources it needs to fully and effectively respond to the natural disasters that are hitting parts of our country hard right now and those that are yet to come. The money won't be wasted; it will be spent for appropriate things.

Second, it would allow the $300 per week for the Lost Wages Assistance Program to continue through November 21, giving Congress what I hope would be more than enough time to come up with a broader solution to the COVID–19 issue. But at least through the period of time between now and just before Thanksgiving, people would be able to know they will continue to get this $300-per-week supplement to be able to put food on the table, pay the rent, or pay the car payment or the mortgage, and we as a Congress will be able to say to the people we represent: We haven't forgotten about you. You lost your jobs through no fault of your own. We ought to be able to continue providing some help through this interim period.

This isn't about political wins and losses; this is about lives and livelihoods that are at stake. I hope my colleagues will join me in a bipartisan effort to support this important, commonsense legislation so we can bolster our response to the COVID–19 unemployment crisis and to the natural disasters that are currently facing our country.

I yield back my time.

The PRESIDING OFFICER. The Senator from Michigan.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Ms. STABENOW. Mr. President, I rise today to pay tribute to one of my personal heroes, Justice Ruth Bader Ginsburg. She spent her life in service to the American people, quite literally. Whether the Supreme Court was hearing arguments about civil rights, reproductive rights for women, protecting our environment, our precious water and air, or standing up for our workers, Justice Ginsburg could be counted on to put the needs of the American people first every time.

She may not have looked like much of a fighter, but this tiny Jewish grandmother in the lace collar punched far above her weight. The American people were so fortunate to have her on their side of the ring. I feel fortunate as a woman in America. My daughter and my granddaughters, too, have known she was there over and over again, fighting for us.

That certainly was the case on healthcare. I have said over and over again on the floor of the Senate that healthcare isn't political; it is personal for each one of us. It is personal. Justice Ginsburg understood that in her bones. As a person who had experienced her own health challenges and health challenges in her family, she knew that when a beloved spouse is diagnosed with cancer or a child with a fever needs to go to the emergency room, politics is the last thing on their minds.

When people tell me their healthcare stories, they don't start by telling me whether they are a Democrat or a Republican. That is because when it comes to healthcare and the health of our families, it simply doesn't matter.

People in Michigan just want to know that if they or their loved ones get sick or are hurt, they are going to be able to take them to the doctor and get the healthcare they need. Unfortunately, with the loss of Justice Ginsburg, Michigan families and families all across the country have an extra reason to be very concerned right now.

One week after the election—just 1 week after the election—the Supreme Court will hear arguments in the case that could overturn the Affordable Care Act, overturn everything, all of the protections—including, of course, the preexisting conditions coverage—all of it. By the way, the President of the United States, Donald Trump, has weighed in and is in favor of having that happen.

Everything is at stake, including coverage for 17 million people through the expansion of Medicaid, where minimum-wage workers right now in States like Michigan that have expanded Medicaid no longer have to pick between minimum-wage jobs and not working and having healthcare. It is so important.

Also at stake is the ability for children to remain on their parents' health plans until age 26, which has transformed so many families' opportunities and young people's opportunities, and coverage for preventive services like cancer screening and maternity care.

Prior to the Affordable Care Act, you had to get extra coverage for maternity care. It wasn't viewed as basic. It was basic for me when I was having my children, and for women across the country, it is pretty basic. It wasn't viewed as basic, essential care. It now is under the Affordable Care Act.

Also at risk are mental health care and treatment for substance use disorders, lower prescription drug prices for seniors, and protections for people with preexisting conditions.

It is estimated that about half of Michigan families include someone with a preexisting condition, everything from heart disease to asthma, to high blood pressure, to cancer. Nationwide, we are talking about 130 million people. How many more people now, after COVID–19, will have a preexisting condition?

In other words, what happens in the next few months—what happens in terms of filling another Supreme Court vacancy, as well as what happens in the election—could have life-or-death consequences for Michigan families and families across the country.

In case anyone has forgotten, we are in the middle of a once-in-a-lifetime pandemic. More than 200,000 Americans have already lost their lives, and unfortunately that number is going up every single day. In my own State, nearly 7,000 people have lost their lives—7,000 moms and dads, grandmas and grandpas, brothers and sisters, children and friends. Even though some have survived COVID–19, they may be left with long-term health issues, from heart damage to breathing difficulties, to neurological problems, which, as I said before, creates preexisting conditions.

This is not the time to be ripping healthcare away from American families. There is never a good time but certainly not now. Yet that is exactly the scenario we could be facing.

As Justice Ginsburg said, ''Health care is not like a vegetable or other items one is at liberty to buy or not to buy.'' When a Michigan single mom discovers a lump and finds out that she has breast cancer, she can't just hope it will go away. When a Michigan senior with diabetes needs insulin, he can't just wait for a big sale and stock up when the price is right. When a child spikes a high fever in the middle of the night, her parents can't just tell her: Well, you know, the money is tight right now, so you are going to have to wait to see a doctor. That is the horror for all of us as parents, that our child will get sick and we won't be able to take them to the doctor.

Healthcare isn't political; it is personal. It isn't about policy; it is about people—people. It is about the people in our States who sent us here to fight on their behalf.

I sincerely hope that by the time the Senate votes on the next Supreme Court Justice—if, unfortunately, it comes before the people have their say about who should be making that nomination and confirming that appointment—if that is going to be rushed through, jammed through by this Senate, I hope there will be four U.S. Senators on the other side of the aisle who will have the courage to stand up for the people who need healthcare—and, frankly, that is all of us.

One thing I do know for sure is that the American people are courageous. Time and again, they have called us and written letters and have even come to DC to make their voices heard. From the amazing Little Lobbyists to ALS warrior Ady Barkan, to my friend Lauren Kovach, who fights so hard to find a cure for Alzheimer's disease and other dementias, these folks would probably rather be spending their time doing something else, but they understand that healthcare isn't a luxury; it is a necessity.

This should not be political. It is personal to each and every one of us. Again and again, people across the country have stepped up. They have gotten engaged. They have put their passion to work protecting our healthcare. Their voices and the voices of millions of Americans have made the difference in this Chamber to the majority in this Chamber—saying no to repealing the Affordable Care Act and ripping healthcare away from millions of Americans. That only happened because people stood up and made their voices known and were actively engaged in saying what was important to them and their families.

It is easy to throw up our hands and give in and let the sadness and feelings of loss for Justice Ginsburg and all of the frustrations and chaos and the suffering take over all of us, but RBG would never let that happen. If she were here right now, she would say: No, no, no. This is the moment to focus and engage and to fight even harder.

When, as a Harvard Law student, she was asked by the dean why she felt entitled to take a slot that otherwise would have gone to a man, she didn't let that faze her. When she struggled to land a job after graduation, she took to teaching at Rutgers School of Law and hid her second pregnancy under baggy clothes until her contract was renewed. She later challenged the New Jersey law that forced pregnant teachers to quit their jobs. When she was diagnosed with cancer for the first time in 1999, she fought back and kept on fighting for more than 20 years.

It is time now for all of us to fight, all of us who care about our freedoms and our very way of life in this country. It is time to fight like our beloved RBG, like she did everyday of her life for us.

Justice Ginsburg once said this: ''Fight for the things that you care about, but do it in a way that will lead others to join you.'' I am asking the American people right now to join us in this fight. This is not a done deal. It is not over, and we all as Senators will be held accountable for what we do.

Call your Senators, write emails and letters, talk to your friends and neighbors, and let them know what is at stake—from healthcare and reproductive rights for women to protecting our air and clean water, to the capacity to be able to collectively bargain for wages and safety and benefits, to voting rights and civil rights. We can go on and on. It is all on the line right now. We need to step up and fight and not assume anything is a done deal. We need to hold our Republican colleagues accountable.

Don't let them get away with taking healthcare away from millions of people. We did it before when we stopped the repeal of the Affordable Care Act. I think we have to fight now to do the same thing and vote like your life and the lives of your family depend on it, because they actually do.

Justice Ginsburg dedicated her life to making our country more fair, more free, and more just. Now is the time to continue her fight for our future, for our children, and for our grandchildren.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

SUPREME COURT NOMINATIONS

Mr. CORNYN. Mr. President, as we all know, President Trump will announce his nominee to fill the seat vacated by the death of Justice Ruth Bader Ginsburg. The Senate is prepared

to examine the qualifications of that nominee and hold a vote here on a timely basis.

This, of course, is set in line with the precedent set by Presidents and Senates that were elected long before we became Members of this body or were even born, and we are prepared to follow suit. There were 29 times when there was a vacancy during the election year where the party occupying the White House and the majority of the Senate were the same, and 29 times there were confirmation processes, and it will be the same again this year with the 30th.

As always, we will be thorough. As a member of the Judiciary Committee, I have had the privilege of participating in a number of confirmation hearings for Supreme Court Justices. I know every member of the committee takes this job very seriously—our role of advice and consent under the Constitution. We will not rush the process. Every Member of this body will have an opportunity to vote for or against the nominee once the nominee is voted out of the Judiciary Committee.

But it seems that for our friends on the other side of the aisle, precedent is not enough. The prospect of another Trump-appointed Supreme Court Justice has mobilized our Democratic colleagues to launch an attack that has been months in the making on our very independent judiciary.

One of the hallmarks of our Constitution and our democracy is an independent judiciary—an umpire, if you will—that will mediate the fight between the executive and legislative branches and rule on the very constitutionality of the laws that are passed. Long before this vacancy even existed, though, our Democratic colleagues were sounding the alarm, suggesting they would expand or pack the Supreme Court with liberal Justices that will rubberstamp the political results they could not achieve through legislation.

During the Presidential primary this year, candidates were especially eager to share their vision for a larger and solidly liberal Supreme Court. A number of our Senate colleagues were among those open to the idea, including the current Democratic candidate for Vice President, the Senator from California.

Over the last several months, Democrats in both the House and the Senate, including House Judiciary Committee Chairman JERRY NADLER, have expressed an interest in upending the integrity of the Supreme Court and its role in leading the independent judicial branch. Once the Supreme Court vacancy went from a possibility to a reality, these comments have now turned into threats.

Over the weekend, the junior Senator from Massachusetts tweeted that ''when Democrats control the Senate in the next Congress, we must abolish the filibuster and expand the Supreme Court.''

The Senator from New York, the minority leader himself, reportedly told his Members on a call this weekend, which was reported in social media: ''Nothing is off the table.''

Now, mistreatment of conservative nominees to the courts is nothing new, including 2 years ago, when Democrats waged an all-out smear campaign against Justice Kavanaugh. But now, even before the nominee is announced, our Democratic colleagues are taking aim at the institution itself.

We know this isn't the first time that our colleagues have floated institutional changes to shift the political tide in their favor. When they lost the Senate majority, they decided they wanted to add new States. They are uninterested in bipartisanship. So they want to end the legislative filibuster. And now they threaten to pack the court with liberal Justices to give them a political outcome. They are taking the saying, ''if you can't win the game, change the rules,'' to a whole new level.

This isn't just political gamesmanship anymore. It is an assault on the Constitution itself, along with the integrity of our article III courts and our system of checks and balances. This court-packing threat isn't new. It preceded the death of Justice Ginsburg in the creation of the vacancy that we will soon consider, but they are now trying to rebrand the reasoning behind it.

Since the idea was previously viewed as too radical by members of their own party, with even Justice Ginsburg opposing it, they are trying to shift the blame to Republicans. By following the precedent of 29 judicial confirmation hearings occurring during an election year and undermining or challenging the Senate's constitutional duty to provide advice and consent, our Democratic colleagues claim that it is we who are responsible for an attack on democracy. They, in effect, are holding the Supreme Court hostage in saying: Don't make me kill the hostage.

Democrats aren't just trying to prevent a single conservative Justice from joining the Court. They are trying to dismantle the very institution itself. The Supreme Court has had nine Justices for more than 150 years. As the balance has shifted in many different directions over the years, Members of Congress have respectfully refrained from engaging in such dangerous threats.

This isn't just about a conservative Justice or a liberal Justice. It is about preserving one of our most basic institutions—a free and independent judiciary.

ECONOMIC GROWTH

Mr. President, now on another matter, by virtually any measure our economy was booming at the start of this year. Successful reforms under the Tax Cuts and Jobs Act allowed workers to keep more of what they earned and gave job creators the freedom to create new economic opportunities for the American people.

Within the first 2 years of these changes, we experienced record gains in employment and increases in household income for families across the country, including Hispanic and African-American households. New census data paints a clear picture of just how strong the economy was in 2019. The median household income reached an all-time high of $68,700. That is a 6.8-percent increase over the previous year. Not only that, if you look at the dollar amount alone, it is almost double the next highest dollar amount in annual growth.

As I said, Black and Hispanic Americans each experienced a higher than average growth rate and historically low unemployment rates. Median earnings increased 7.8 percent for women, compared to 2.5 percent for men, representing progress in the fight to close the pay gap.

The benefits of our booming market, though, didn't stop there. The new jobs and opportunities created during this boom drew more workers who had been on the sidelines into the labor market, and the result was spectacular. The poverty rate dropped to 10.5 percent, which is the lowest since 1959. Every population group made gains. Regardless of race, gender, age, disability status, or marital status, each group experienced a decline in the poverty rate.

Make no mistake about it. We still have a long way to go to ensure that no family in America lives in poverty, but we also ought to be willing to assess progress when progress is made. There is no doubt that our economic engine was humming and the American people were seeing and feeling the benefits of our strong economy every single day. And then, of course, the pandemic hit. Suddenly, after years of adding new jobs and creating economic opportunities for millions of Americans, it felt like the gains we made were erased in the blink of an eye.

Through no fault of their own, businesses were forced to close their doors to help slow the spread of the virus, and with no tables to wait on, customers to serve, or travelers to accommodate, millions of workers were left without a way to earn a living. Well-meaning employers, sadly, handed their workers pink slips and said they hoped to have jobs for them to come back to once the pandemic was in the rearview mirror.

Until that could happen, millions of Americans relied on enhanced unemployment benefits, which ended at the end of July, including an extra $600 a week in Federal benefits. But there are still families across Texas struggling to make ends meet, and there are workers waiting to return to their jobs with no end in sight.

While we have made progress against the virus, we have to make progress, too, in recovering our economy. In the beginning, restaurants and retailers began adding curbside service and delivery to regain some income, and throughout most of Texas now, these

businesses are able to open to 75 percent of capacity. Gladly, we are seeing more and more workers returning to work and our children returning to school.

In Texas, unemployment has steadily declined from a peak of 13.5 percent to 6.8 percent in August. I think a lot of that progress is due to the success of the CARES Act and, especially, the Paycheck Protection Program, which sent more than $41 billion in more than 417,000 different loans to small businesses in Texas alone.

I am still hoping that we can come to an agreement on another coronavirus relief bill that would extend the Paycheck Protection Program and provide some enhanced level of Federal employment benefits, but those measures alone will not support our economic recovery. We know that regaining lost ground will not happen overnight. It is going to take time for our country to return to the pre-pandemic economy that the President and Republican Senate fought so hard to achieve.

As we consider the most effective ways to tune up our economic engine, our guiding principle should be that of the doctor-patient oath—the Hippocratic oath: First, do no harm.

Raising trillions of dollars in new taxes, as a number of leading Democrats have suggested, would be counterproductive. It wouldn't grow the economy. It would kill the economy. In 2009, as the Nation was fighting to recover from the 2008 recession, President Obama was asked about the possibility of raising taxes, and he didn't mince words. He said: The last thing you want to do is raise taxes in the middle of a recession.

That is exactly right, but that is exactly the opposite of what the leading Democratic candidates, including the Democratic nominee for President, are advocating. They are advocating for a huge tax increase, even as we are hopefully closer to the end of the pandemic than we are the beginning. It is just the wrong medicine for what ails our economy, as President Obama noted.

Families, we know, are still struggling, workers are still hurting, and the American people need more money in their paychecks, not less. We need to look at what made the 2019 economy such a success and try to ensure that those changes prop us up for a strong comeback, and I think the best place to start is with the success of the Tax Cuts and Jobs Act.

After it passed almost 3 years ago, I traveled across my State and met with business owners and employees who were reaping the immediate benefits. Those were in the form of new hires, bonuses, raises, and 401(k) match increases. Employees at every business of every size were seeing the benefits of the Tax Cuts and Jobs Act. While some of the provisions of that law are permanent, others are set to expire in 2025, and, without action, things like the lower income tax rate for individuals and the increased child tax credit will expire.

As we work to support our country through the recovery process, we need to emulate the reforms that made our booming economy a reality in the first place. As I said, I don't expect the road to recovery to be quick, but there are steps that we can take to make it easier.

First, we could do our job by supporting the individuals and businesses hit hardest by the pandemic. Time and again, our Democratic colleagues have objected to us even considering legislation to continue those important provisions of the CARES Act. We can take the government's boot off of job creator's necks, and we can fight to bring jobs back that were shipped overseas because we learned a lot about vulnerable supply chains and manufacturing that needs to be returned to the United States.

Following tax reform, millions of new jobs were created, and Americans brought home more of their hard-earned money. As a result, we reached 3.5 percent unemployment—the lowest unemployment rate in a half a century. That progress was possible because of the right policies that increased take-home pay for workers and unleashed the power of the private sector. So I have no doubt, as we rebuild our economy, that we will do so if we continue to embrace the policies that made 2019 a banner year.

Let me just conclude by saying that we must pass another COVID–19 relief bill. Time and again, Speaker PELOSI has refused to negotiate in good faith to come up with a compromise. In the meantime, airlines that employ tens of thousands of people in my State and across the country will begin laying off their employees beginning October 1. Businesses that were sustained by the PPP program have now run out of those funds, and they need to be replenished.

I get questions time and again about the lapsing of the enhanced unemployment benefit that was part of the CARES Act. We tried to extend that at some reasonable level, but our Democratic colleagues objected, blocked it, and stopped it.

What I fear, as Chairman Powell of the Federal Reserve and Secretary Mnuchin, the Treasury Secretary, have suggested, is that the massive stimulus that we provided, roughly $3 trillion through four bills that were passed on a bipartisan basis—that has sustained our economy and brought us to where we are today, even in the darkest of times through this pandemic, but if we leave here with our Democratic colleagues having prevented us from providing another COVID–19 relief bill, I think it guarantees nothing but pain for the economy, American workers, and American families. We should not go down that path or tolerate it.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent to be allowed to finish my remarks.

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

WASHINGTON STATE WILDFIRES

Mrs. MURRAY. Madam President, I rise to speak about three critical matters impacting families in Washington State and across this country today.

First of all, I would like to say that even though the wildfires in my State are being contained, thanks to the skilled work of brave and dedicated firefighters, wildfires and health impacts of smoke are still creating hazardous conditions throughout the Pacific Northwest. Until we begin addressing the drivers of those natural disasters, like climate change, we know these crises and the suffering they bring will only continue getting worse.

JUDICIAL NOMINATIONS

Secondly, I want to talk about three nominees under consideration for the Equal Employment Opportunity Commission, or the EEOC.

One of these nominees is Jocelyn Samuels. She is exactly who workers need right now. As the coronavirus continues to impact workplaces across the country, workers are facing unprecedented challenges, and they need a champion at the EEOC who will work tirelessly to defend their rights. Jocelyn Samuels is that champion.

With almost 20 years of experience in the Federal Government, including at the EEOC itself, she has spent her career working to address discrimination and making sure no one is treated unfairly because of their age, their race, or their disability.

I am confident she will be an excellent Commissioner. I am proud to vote to confirm her nomination and strongly urge my Senate colleagues to join me in supporting her nomination.

Unfortunately, the other two nominees already approved by the Senate—Andrea Lucas and Keith Sonderling—will likely have disastrous consequences for workers' rights. These are two people who have spent their careers working to protect corporations, not workers.

As a lawyer, Andrea Lucas has never defended workers. Her only legal experience is defending corporations when workers tried to fight back against sexual harassment or age discrimination and disability discrimination. That is exactly the opposite type of experience and values we need at the EEOC, which is why I voted against her nomination.

Keith Sonderling's record is no better. During his time at the Trump administration's Department of Labor, Keith Sonderling worked to churn out policies that hurt workers.

From his joint employer rule that lets massive corporations off the hook for minimum wage, overtime, and equal pay violations to his initiative that gives companies a ''get out of jail free'' card for wage theft, Keith Sonderling's legacy at the DOL has made it harder for workers to fight for their rights and easier for companies to abuse them. For those reasons, I opposed his nomination.

Finally, right now, our Nation is facing truly trying times. Two hundred thousand lives have been lost to COVID, millions are unemployed, and we just lost a treasured American hero, Justice Ruth Bader Ginsburg.

So much hangs in the balance now, and people are already voting and organizing to make sure their healthcare, their rights, and their futures are protected in this election.

For those nationwide who have already cast their ballots and who will vote in the coming weeks for the future of our country and to help ensure trust—trust in our democracy—the people must have a vote in this nomination.

The next President should choose Justice Ginsburg's replacement as she wished to spare our democracy the painful chaos of making such a decision so close to an election.

People are speaking out, and the Senate must listen, as Majority Leader MCCONNELL insisted only a few years ago. But, unfortunately, it seems like my colleagues on the other side are content to ignore these cries, just like they have neglected the cries of our constituents for a COVID–19 relief package that meets this moment instead of shortchanging our communities because nothing—nothing is more important than pushing through their ideological agenda to jam as many partisan judges on the bench as possible, especially on the Supreme Court, and tip the balance of our Federal judiciary even further against everyday people, packing our courts to ensure we can't make progress to defend affordable healthcare and preexisting conditions protections or addressing the climate crisis or strengthening protections for workers or doing anything on the critical issues that people in my home State of Washington and around the Nation care so deeply about and that have been blocked time and again by the Republican Party.

I will be doing absolutely everything I can to make sure everyone from Washington State to Washington, DC, and my Republican colleagues here in Congress know just how much is at risk if President Trump gets to appoint another hard-right nominee an unprecedented 41 days before a Presidential election.

It is truly impossible to understate the consequences for families and communities across the country now and for generations to come. President Trump has made it clear he wants a nominee who will gut protections for preexisting conditions, who will take healthcare away from millions of people nationwide, and do everything they can to undermine basic rights and freedoms and protections through the Court, including crucial worker protections that Justice Ginsburg, herself, helped secure and the EEOC is tasked with enforcing.

I urge all of my colleagues to join me in voting today to honor an important part of Justice Ginsburg's legacy and vote for the nomination of Jocelyn Samuels. Then let's keep fighting for people's healthcare, for protections for preexisting conditions, for workers' rights, and voters' rights, and LGBTQIA+ rights, and for the vision of a just and equal country—a just and equal country Justice Ginsburg fought so hard to advance.

Thank you.

I yield the floor.

VOTE ON HINDERAKER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Hinderaker nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO) and the Senator from Wisconsin (Mr. JOHNSON).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 70, nays 27, as follows:

[Rollcall Vote No. 191 Ex.]

YEAS—70

Alexander	Grassley	Risch
Baldwin	Hassan	Roberts
Bennet	Hirono	Romney
Blunt	Hyde-Smith	Rosen
Booker	Inhofe	Rubio
Brown	Jones	Sanders
Burr	Kaine	Schatz
Cantwell	King	Shaheen
Cardin	Klobuchar	Shelby
Carper	Leahy	Sinema
Casey	Loeffler	Smith
Cassidy	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Tillis
Cornyn	McSally	Toomey
Cortez Masto	Menendez	Udall
Crapo	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warren
Ernst	Murray	Whitehouse
Feinstein	Perdue	Wicker
Fischer	Peters	Wyden
Gillibrand	Portman	
Graham	Reed	

NAYS—27

Barrasso	Enzi	Paul
Blackburn	Gardner	Rounds
Blumenthal	Hawley	Sasse
Boozman	Heinrich	Schumer
Braun	Hoeven	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Moran	Young

NOT VOTING—3

Capito	Harris	Johnson

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative 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 bring to a close debate on the nomination of Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Mitch McConnell, Mike Braun, Mike Rounds, Marsha Blackburn, Todd Young, Cindy Hyde-Smith, Lindsey Graham, Marco Rubio, Tim Scott, Chuck Grassley, Kevin Cramer, Lamar Alexander, Pat Roberts, John Boozman, John Cornyn, Mike Crapo, James E. Risch.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 93, nays 3, as follows:

[Rollcall Vote No. 192 Ex.]

YEAS—93

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

NAYS—3

Blumenthal	Hirono	Schumer

NOT VOTING—4

Capito	Johnson
Harris	McSally

The PRESIDING OFFICER. On this vote, the yeas are 93, the nays are 3.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Jocelyn Samuels, of Maryland, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2021.

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

The question is, Will the Senate advise and consent to the Samuels nomination?

Mr. MANCHIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 193 Ex.]

YEAS—54

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

NAYS—42

Barrasso	Enzi	Loeffler
Blackburn	Ernst	McConnell
Blunt	Fischer	McSally
Boozman	Gardner	Paul
Braun	Hawley	Perdue
Burr	Hoeven	Portman
Cotton	Hyde-Smith	Risch
Cramer	Inhofe	Roberts
Crapo	Kennedy	Romney
Cruz	Lankford	Rounds
Daines	Lee	Rubio
Sasse	Shelby	Toomey
Scott (FL)	Sullivan	Wicker
Scott (SC)	Thune	Young

NOT VOTING—4

Capito	Johnson
Harris	Moran

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Tennessee.

CORONAVIRUS

Mr. ALEXANDER. Madam President, I come to the floor to talk about COVID in two ways. The Senator from Tennessee, who is presiding today, will appreciate this. She and I have a regular call with Governor Lee, our Governor, and we just finished part of it. Her staff was on part of that.

He gave some very interesting information that I think would be important to all Senators and to our country, and that is the significant learning loss that occurs when children aren't in school. In Tennessee, Governor Lee and some national researchers have completed a study of the learning loss in the third grade for reading and math proficiency for children who were not in school from March through the summer.

Now, you always have a learning loss in the summer, but for March through summer, this is what they found. Preliminary data shows an estimated 50-percent decrease in proficiency rates in third grade reading and a projected 65-percent decrease in proficiency in math. That, in the Governor's words, is a dramatic decrease. It shows that the vast majority of students learn in person, the Governor said, with their teacher, and he is working to get a safe environment so that they can get back to school.

The good news on that is, according to the Governor, 1,800 schools in Tennessee are open, in person, and only 7 of those schools have any sort of closure incident today—in other words, one class or one school closed because of COVID. So, this problem we are just discussing, hopefully, will not be as pronounced this semester in Tennessee because, except in Memphis and except in Nashville, almost all of our schools are open in person to some degree.

The Governor went on to say that the March through the summer school closings produced a learning deficiency that is expected to be 2.5 times that of a normal summer rate. He also said the learning loss impacts early grades greater than later grades, placing those students further behind in the learning trajectory. Students with lower proficiency rates are also disproportionately impacted by learning loss. In other words, students who are already behind fell behind even further as a result of leaving school in March.

Then it shows that the research from the Organisation for Economic Co-operation and Development, which worked with the Governor on these, shows that each additional year of schooling increases life income by an average of 7.5 to 10 percent. And with the loss of one-third of a year in effective learning—which is what we just heard about for just the students affected by the closures—that organization estimates it would lower a country's gross domestic product by an average of 1.5 percent for the remainder of the century.

I don't know whether those numbers are exactly accurate, but the message is clear. Children, especially young children and especially young children who are further behind already, need to be in school so that they can be taught in person or their learning loss is dramatic.

I ask unanimous consent to include in the RECORD the press release that Governor Lee of Tennessee released detailing this dramatic learning loss.

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

TENNESSEE RELEASES DATA SHOWING SIGNIFICANT LEARNING LOSS AMONG K–12 STUDENTS

PROJECTED LOSSES TIED TO PROLONGED SCHOOL CLOSURES AND TIME AWAY FROM CLASSROOM

NASHVILLE, TN—Tennessee Governor Bill Lee and the Tennessee Department of Education today released estimated data regarding learning loss for Tennessee students resulting from COVID–19 school closures through the summer months. Preliminary data projects an estimated 50% decrease in proficiency rates in 3rd grade reading and a projected 65% decrease in proficiency in math.

''This data highlights the immense challenges that the COVID–19 pandemic has created for our students and educators,'' said Gov. Lee. ''The vast majority of students learn best in-person with their teacher, and we'll continue to help provide a safe environment for Tennessee students to get their educational journeys back on track.''

While many students traditionally experience learning loss over the summer, projections show that learning loss from March school closures through the summer is expected to be 2.5 times that of a normal summer rate. Projections were developed in partnership with national researchers using historical, Tennessee-specific data to provide additional learning loss estimates based on the extended school closures.

''We know that increased time away from school has negative implications for students, which is compounded during extended building closures,'' said Tennessee Commissioner of Education Penny Schwinn. ''The department is focused on ensuring we provide essential services and resources to mitigate learning loss and keep students on a path to success this new school year.''

The learning loss impacts early grades greater than later grades, placing these students further behind in the learning trajectory as they progress through school. Students with lower proficiency rates are also disproportionately impacted by learning loss, further exacerbating existing achievement gaps.

Research from the Organisation for Economic Co-operation and Development on the economics of education shows that each additional year of schooling increases life income by an average of 7.5–10%. Further, a loss of one-third of a year in effective learning for just the students affected by the closures of early 2020 will, by historical data, lower a country's GDP by an average of 1.5% over the remainder of the century.

Mr. ALEXANDER. Today, our committee—the Health, Education, Labor, and Pensions Committee—had its last

hearing of the year, and it was my last hearing as chairman of the committee. While we are on the theme of education, one of the interesting—and I am here today to give a little report on what I consider to be an unprecedented sprint toward success in three areas: vaccines, treatments, and diagnostic testing.

I asked Dr. Fauci, who was one of the witnesses, this question: Dr. Fauci, there are a lot of outbreaks on college campuses around the country as millions of students go back to thousands of colleges. Is the right thing to do to send the students home?

He said: Absolutely not. That is the wrong thing to do. Segregate the students from the other students in the college until they are well—and the people they have exposed until they are well—and then go on. Don't send them home to infect their parents and their grandparents and the community from which they came.

I think that is important advice for the college administrators all over America who are dealing with this issue very bravely. I know at the University of Tennessee they had a big outbreak. It was some poor judgment on behalf of a number of students who had just gone back to school. You can just imagine 18-, 19-, and 20-year-olds, they all want to get together. Well, they got together, and they infected one another, and they had a big outbreak—maybe 750, the Governor said, but it is now down to 150.

So Dr. Fauci's advice to the school administrators is this: Isolate them, segregate them, track them, and don't send them home.

The hearing today included Dr. Fauci and Dr. Redfield from the Centers for Disease Control. It included Admiral Giroir, who is in charge of testing, and it included Dr. Hahn, who is the head of the Food and Drug Administration.

Here was the first question I asked Dr. Hahn, who is the only person who knows when the vaccines that are being developed will be distributed. He doesn't really know because he doesn't know the date, nor do any of the career scientists at the FDA know the date when the data will show that the vaccine is safe and effective, and it will not be distributed until it is.

So I said to Dr. Hahn: Who makes the decisions at FDA? Do you make the decisions? Do the career scientists make the decisions? Or does the White House make the decisions about safety and effectiveness of a vaccine?

He said: The career scientists make the decisions. The White House does not, and I will not make a decision about the safety and effectiveness of vaccines unless the career scientists and I agree that it is safe and effective according to independent and transparent data.

I asked Dr. Fauci this question. I said: Dr. Fauci, you have been around a while. You came on in the Reagan days. You have been in your job as head of infectious diseases since 1984. Here is my question: Is this administration cutting corners on safety and efficiency?

Dr. Fauci said: Absolutely not.

I asked all four of the witnesses: If the vaccine is approved by the FDA, would you take it, and would you recommend your family take it?

They said yes, that they had great confidence in the FDA.

Here is a summary of what they told us today. Let's start with vaccines:

According to the administration, it is already manufacturing tens of millions of doses of six vaccines, and by the end of the year, there will be tens of millions of doses of these vaccines already manufactured, ready to distribute—first, of course, to the priority individuals, those who are most vulnerable, healthcare workers, and others.

Then, according to the administration, they expect to be able to produce 300 to 700 million doses of vaccines by March or April of next year. That is unprecedented.

When I was a kid, we were terrified by polio. I had classmates who were in an iron lung and parents who were worried their children might be just as well. It took 10 years to get a polio vaccine, and polio is now eradicated.

For most of the vaccines that our children take before they go to school—like mumps, measles, and chickenpox—you have to take these vaccines in all 50 States and the District of Columbia before you go to school. Most of them took 10 years to develop.

If the optimism of the administration—they call it Operation Warp Speed—is accurate, vaccines will have been manufactured, and they are optimistic that at least one of them will be approved before the end of the year. They know they will be manufactured because they are already doing that.

They don't know for sure, and they say: There is no guarantee of success, but we are optimistic that we will reach a goal that once was considered impossible and now seems likely.

In other words, instead of waiting 10 years for a vaccine to save lives, this vaccine for COVID–19 will be developed in less than a year if it is approved before the end of the year.

That is an unprecedented success story, and it is only possible for a variety of reasons, which I will go into in a minute.

The same is true with treatments. There are five treatments—medicines—for those who have contracted COVID–19. That is especially interesting to teachers and faculty members at schools and colleges. The children don't seem to get as sick, but the older teachers could, and they do get sicker. So it helps to know that there is a treatment for COVID if you get sick.

What we are told by Dr. Fauci, Dr. Redfield, Dr. Hahn, and others is that they are cautiously optimistic that new treatments will be available in the next few weeks—specifically, the monoclonal antibodies, the antibody cocktails that were developed and used during the Ebola crisis to help prevent and cure it.

If these work—and, again, they only can be approved based on data from the FDA. They are not approved yet. They are in clinical trials, but late clinical trials. If they are approved in the next few weeks, then, if you come down with COVID, you will have an antibody cocktail that, in the case of the Ebola, proved to prevent and help cure it.

Knowing that these vaccines are being manufactured and are likely to be approved by the end of the year and that treatments will be broadly available by the end of the year, in addition to the five that now exist, should help give Americans more confidence in going back to school, back to college, back to childcare, back to work, and out to eat.

Then, there is a third success story, and that is diagnostic testing. The United States got off to a bumpy start with diagnostic testing. The first CDC test flopped, and we lost some time. But since then there has been an explosion of diagnostic testing.

Today, we have a capacity to deal with 90 million tests a month. Abbott Laboratories has announced that in October, it will produce 50 million rapid tests. You can get a result in 15 minutes with a higher degree of specificity—that means accuracy—and it costs $5. The administration has bought 150 million—the whole output—for the first 3 months of Abbott Laboratories' fast tests and is in the process of distributing them to nursing homes, schools, colleges, childcare centers, and States.

I was able to say to the Governor that if Tennessee gets its rough share of 2 percent of 150 million tests, that is a lot of tests for the State of Tennessee to be receiving over the next few weeks.

Again, the importance of that is, between now and the time a vaccine is administered and treatments are widely available, the surest path back to school, back to work, and out to eat is an oversupply of diagnostic testing so you could have it whenever you want.

Just as Governor Lee was saying, we have 1,800 schools open in person, Nashville and Memphis worrying about whether they should open. I think if the teachers knew they had more treatments and if they could test whenever a class needs to test—a whole class—and do surveillance testing, that people would be safer and feel better about going back to school.

The same would be true with the colleges and universities. If there is a breakout of 750 cases at the University of Tennessee and you can quickly do random surveillance testing of an entire dorm or a dorm floor or a class of students, then you can feel better about keeping the place safe.

The hearing was a good hearing. During the hearing, I thanked Senator MURRAY, my partner over the last 6 years, the ranking Democrat. She is a

member of the Democratic leadership. She is pretty tough when she wants to be. Because she is, I like working with her, and we have been able to do a lot with our committee.

We have 23 members on our committee. I thanked them today. I said, Senator Ted Kennedy used to say that we have the broadest jurisdiction of any committee in the Senate. I think we have the broadest range of views in the Senate of any committee. We have some very able advocates of those diverse points of view, and still, we have a very impressive record from fixing No Child Left Behind to 21st Century Cures, to the opioids bill, to passing important bipartisan legislation that is good for the country

President Obama called the Every Student Succeeds Act a Christmas miracle. Senator MCCONNELL said the 21st Century Cures Act was the most important law of that Congress.

I thanked Senator MURRAY and all the Democrats and Republicans on the committee for creating an environment where we can have our differences of opinion but still get important results.

There was one other thing we discussed that I would like to mention. I see my friend from Connecticut on the floor. I know he wants to speak, and I will get out of the way so he can do it. But there were actually two things I wanted to briefly summarize, and then I will ask to put my statement into the RECORD.

One was that the New York Times said on March 1, that the United States was as well prepared as any country for COVID. To the extent that was true, it was because of several Presidents and several Congresses doing such things as, in 2012, authorizing three standby manufacturing plants for vaccines. Of Operation Warp Speed, Dr. Slaoui, who is their principle adviser, said that they could not be producing four of those vaccines if those plants had not been put in place back then.

In addition, earlier Congresses created more authority for the FDA, for example, to do emergency-use authorizations, which Dr. Hahn has used expertly. They have given the NIH record funding for 5 years in a row and new authority. All of this authority has been put to work by this administration to do what I would call an unprecedented sprint toward success on vaccines, treatments, and tests without cutting corners on efficacy and safety. There is a risk, but the risk is to the taxpayers.

The reason things are going so fast is because they are doing everything in parallel. They are manufacturing while they are developing the vaccine and while they are reviewing whether it is safe and effective.

Then, at the end of that process—say, at the end of this year—if it is effective, we are ready to distribute it. The States have been asked to get ready. If it is not safe, if it is not effective, then, we lose the money. The taxpayers lose the money.

I think most of us would be glad to lose that money if the result was that one or more of those vaccines turned out to be the one that produces 300 to 700 million doses of vaccines that are safe and effective as we move into the new year.

There is a lesson from all of this, and that is that the earlier Congresses and Presidents were visionary in this respect: They built those standby manufacturing plants. They created BARDA. Senator BURR from North Carolina was one of the leaders of that, for example. Without that, we wouldn't have this explosion of vaccines, treatments, and tests on the way. We need to do that again.

Senator Bill Frist, the former majority leader, testified before our committee with some others. He said we go from panic to neglect to panic, and we don't do the hard things we need to do after the epidemic is over.

The hardest thing to do is sustained funding. So we need sustained funding for manufacturing plants so they don't go cold while we wait for the next pandemic. We need sustained funding for our stockpile so they are not depleted by budget problems. We need sustained funding for the strategic stockpile, and we need sustained funding for our State and local public health agencies, which are about 50 percent supported by Federal dollars.

Sustained funding is something we don't do very well—that means mandatory funding that needs advanced appropriations. We like to do it year by year. But if we don't do it, you can see what it costs us: 200,000 lives we lost already and $3 trillion we have already spent. So a little sustained funding to prevent the next pandemic would be a very wise investment, and we ought to do it now while we have our eye on the ball.

Jared Diamond, who wrote ''Guns, Germs, and Steel,'' pointed out in a recent article in the Wall Street Journal that, in his opinion, what is different about this vaccine is the jet plane—that people can fly from Wuhan to San Francisco or from San Francisco to Nashville, and pretty soon, suddenly, this is spreading all over the world. Jared Diamond said that the next pandemic could be next year. We hope it is not, but it could be, and we should be ready for it.

So I wanted to report to the American people and to my colleagues in the Senate that we hear a lot about problems, but I think it is important to know that vaccines are being manufactured, that the decisions are going to be made by scientists about when they are ready to distribute, that the States have been asked to get ready, that there are more treatments coming, likely, and that there has been an explosion of diagnostic tests. So, really, there should be plenty of diagnostic tests for anyone who wants to use them before very long in the United States. My theory has been for a long time that as soon as we had an oversupply, we wouldn't have a problem or an issue.

I thanked those four witnesses, Senator MURRAY, and my Republican and Democratic colleagues for monitoring this COVID–19. I am glad the hearing was broadly carried for 2 hours on many television networks.

I hope it gave the American people some relief and sense that our chances of going back to school, back to college, back to childcare, back to work, and out to eat are increasingly good. It is very simple: Wear the mask, wash your hands, stay apart, and keep this unprecedented sprint toward vaccines, treatments, and diagnostic tests going.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

CORRECTING THE ENROLLMENT OF S. 2330

Mr. BLUMENTHAL. Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 46, which was submitted earlier today.

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

The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 46) to correct the enrollment of S. 2330.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUMENTHAL. I further ask that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 46) was agreed to.

(The concurrent resolution is printed in today's RECORD under ''Submitted Resolutions.'')

The PRESIDING OFFICER. The Senator from Rhode Island.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. REED. Madam President, I rise today to honor the life of Justice Ruth Bader Ginsburg and to express my grave concerns at rushing to fill this Supreme Court vacancy rather than focus on the pandemic and its health and economic devastation.

The passing of Justice Ginsburg is a monumental loss for our country, but she will leave an indelible mark as a historic and brilliant jurist, civil rights trailblazer, and personal hero to countless people. We can all take inspiration from her stalwart and lifelong crusade for equality, shaped by her own struggles facing gender discrimination as a young lawyer, despite her outstanding education and obvious talent.

Notably, one of her first and most important rulings as a Supreme Court Justice was when she wrote the majority opinion that struck down the male-

only admissions policy at the Virginia Military Institute. In this and many other cases, Justice Ginsburg opened the door for generations to come and heralded a new era of equality so that those who were traditionally excluded and oppressed could truly partake in the American dream.

Congress should honor Justice Ginsburg's legacy by grieving her loss with her family, her friends, and the rest of the Nation. More importantly, we should listen to the Justice's wish that the Court she loved and served so honorably should not be part of the election season. My sense is Justice Ginsburg recognized that, while the Court has become more political over time, filling her seat a month or so before an election would do incredible harm.

Some say we need nine Justices. They certainly didn't feel that way about Justice Scalia's open seat. Rushing here seems unnecessary, shows a disregard for history, and shows a lack of faith in the American people's choice in November, but it appears they will not be thoughtful and wait. Instead, it is full steam ahead.

I am angered and saddened that my colleagues on the other side of the aisle are choosing to ram through a nominee who they know will not get broad support. While this is no different than their agenda over the last 4 years, the timing and circumstances could be not more startling or revealing as to their true priorities of power and stacking the deck.

My colleagues have been rushing to issue statements pledging their support for a Supreme Court nominee that President Trump has not even nominated. However, in the 4 months since the Heroes Act passed the House, they have not been able to muster any urgency to help the millions affected by the COVID pandemic. Indeed, my colleagues on the other side of the aisle keep bidding down the amount of assistance they want to provide.

Public health experts and economists alike have been sounding the alarm for weeks about what will happen if Congress does not provide further assistance. They warned that, without resources for testing, contact tracing, and other critical public health interventions, the case counts and deaths will only increase. They warned that, without rental, unemployment, and food assistance, evictions would skyrocket and households with children will go hungry. They warned that States would have to resort to deep budget cuts and layoffs without additional aid.

My Republican colleagues disregarded these warnings even as COVID–19 numbers continued to climb and even after the pandemic unemployment assistance and Paycheck Protection Program expired. They looked for excuses not to act, only pausing to bring up their so-called skinny bills, which fell woefully short of providing the help that is needed for families, businesses, and the States.

Due to the Trump administration's mismanagement and Republicans' inaction, much of what these experts predicted is already happening, and we continue to pass grim milestones signaling that we have failed to contain the virus and to adequately mitigate the economic fallout.

More than 200,000 people have now died, and the Department of Labor reports that nearly 30 million people are on unemployment. Despite the overwhelming need, Republicans seem eager to move on and shift all of their attention to filling a Supreme Court seat in as little time as possible.

They want to do it in a way that has never been done before. While other vacancies have arisen in an election year, the history is clear: The Senate has never confirmed a nomination to the Supreme Court this close to a Presidential election. Yet it is looking more like Republicans want to barrel ahead and deny the American people a chance to weigh in.

We have to ask ourselves: Why? One answer is easy: healthcare. My colleagues on the other side of the aisle, along with President Trump, had complete control of Congress and the White House for 2 years, and after spending 7 years saying that they would repeal the Affordable Care Act, they tried with all of their might to do just that. What they didn't anticipate was that the American people would turn against that effort.

In 2017, I heard from countless constituents, writing and emailing me, calling my office, approaching me at the grocery store and around Rhode Island, telling me about how the ACA had benefited them and their families and urging me to do everything in my power to stop the Republican effort to repeal the law. I was not alone in this. I know my colleagues on both sides of the aisle were hearing similar concerns from their constituents.

President Trump and congressional Republicans did not expect that they wouldn't be able to convince everyone in their party to go along with this scheme. As we all remember, late one night in July 2017, while voting on the Republican TrumpCare bill, my friend and my chairman, Senator John McCain, shortly before his death, courageously stood up and gave their proposal a thumbs-down, saying enough was enough.

The following year, the American people swiftly voted many Republicans out of office, handing control of the House of Representatives to Democrats, largely because of healthcare. Democrats won by vowing to protect the ACA for the American people.

So, now, President Trump and congressional Republicans are counting on the courts to overturn the ACA for them. They have spent the last 3 years stacking the courts with judicial nominees who they think will rule against the ACA, regardless of the facts or merits of the case.

With the passing of Justice Ruth Bader Ginsburg, they have their opportunity to add another anti-healthcare Justice to the Supreme Court, just days before the Court will begin arguments on the Trump administration's lawsuit to repeal the ACA.

What is worse is that they are not going to wait until the election to pursue this because they know the American people do not agree with them and they can't take the chance that they will lose the election and, along with it, their opportunity to take healthcare coverage away from millions of Americans.

Republicans' fervor to fill a Supreme Court vacancy goes beyond dismantling affordable healthcare and denying healthcare to those with preexisting conditions. They are counting on a conservative supermajority on the Supreme Court to accomplish many of their extreme conservative goals, which they know the majority of the American people do not share.

This will endanger so many of the rights that Americans have fought for decades to win. It could mean making our country less democratic by gutting what is left of the Voting Rights Act. It could mean overturning the right of women to make their own reproductive healthcare decisions, in consultation with their doctors, and the rights of LGBT individuals to live free of discrimination. It could include stripping away environmental protections, which will become all the more important as climate change wreaks havoc in our communities.

How these and many other issues are decided by the Supreme Court for the next several decades is hanging in the balance. That Republicans want to speed through their nominee shows not only their disdain for the will of the American people but, also, their lack of confidence that voters support these policy goals and those who wrongly espouse them.

The only good that may come of this is that the American people will gain an even clearer understanding of what is at stake. The American public now has a clear choice, and I have no doubt that it will make the right one. They can see and understand what Majority Leader MCCONNELL is doing.

At the very time the majority leader should be joining with us to protect the health of the American people in the midst of so much suffering and needless death during this pandemic, they are, instead, undertaking a misguided and unjustifiable effort to ram through a Supreme Court nomination. While I have little belief that Majority Leader MCCONNELL will change his plans, I would hope that my colleagues would take a moment and look at where we are. We can debate how we got here, but right now the matters before us are profound. I hope a few in the majority decide to reconsider and take a step back from their maximalist power theory and leave this issue to the next session.

Until then, I will do everything I can to honor Justice Ginsburg and her

life's work for what is right and what is fair. We will demand justice for the American people to make sure that their voices are heard.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO DR. JAY BOX

Mr. MCCONNELL. Madam President, more than 100,000 Kentuckians choose every year to pursue a degree or develop their skills through the Kentucky Community and Technical College System, KCTCS. Composed of 16 colleges within a short drive of virtually every Kentucky household, KCTCS has helped over 1 million Kentucky students receive an affordable and quality education. Today, I would like to recognize my friend, Dr. Jay Box, who has served as KCTCS' second president for the last 5 years and is a leading architect of its success. As Jay retires at the end of this month, my home State will send him off with our sincere gratitude.

Nearly two decades ago, Jay and his wife Gayle left Texas to join KCTCS. I am so glad they did. Jay brought with him a personal belief in the importance of lifelong learning to adapt to a changing workforce. That vision has served Jay and KCTCS' students well while preparing them for 21st century careers.

Jay was quickly recognized for his transformative leadership at Hazard Community and Technical College. Tapping into his talent, he was given statewide responsibilities as KCTCS vice president, chancellor, then finally its president. In each role, Jay has constantly delivered for Kentucky students.

As president, Jay placed a renewed emphasis on helping students complete their degrees with a record number of graduates and credentials. He also encouraged schools to remove barriers, to support students pursuing GEDs and college credit at the same time, and to form partnerships with job creators to close the skills gap. As a result, graduates are gaining the skills to meet local employers' demands and enter the workforce prepared to fill good-paying jobs.

His many achievements have brought national acclaim for both Jay and KCTCS. U.S. Secretary of Commerce Wilbur Ross and Advisor to the President Ivanka Trump appointed him to be the voice for community colleges on the American Workforce Policy Advisory Board. Jay collaborates with leaders from educational institutions, governments, and some of the country's largest employers to increase preparedness in the workforce. Jay is also a member of the national board for Rebuilding America's Middle Class and the Bill and Melinda Gates Foundation's National Advisory Group.

I have had the privilege to work directly with Jay to serve Kentucky's students. I am particularly grateful for his leadership to save Southeast Kentucky Community and Technical College, SKCTC, from losing its ability to offer Federal student aid. Working closely with Jay, I inserted a legislative provision to give the school a reasonable opportunity to make its case to the U.S. Department of Education. Jay and his team did just that, showing SKCTC's many contributions to its students and community. I am proud to say the school continues to thrive and help prepare Kentucky students to excel in the workforce.

Jay announced he would begin his well-deserved retirement in July. However, when the coronavirus crisis struck, he once again showed true leadership. Jay delayed his retirement to continue serving Kentucky's students and ensure KCTCS received the steady leadership transition it deserves.

Over the years, Jay has helped educate students, encourage industry, and drive growth in nearly every corner of Kentucky. It is a remarkable legacy, and I hope he and Gayle are proud of their accomplishments. I ask my Senate colleagues to join me in congratulating Dr. Jay Box on his retirement and to wish him many wonderful years to come.

TRIBUTE TO TOMMY TURNER

Mr. MCCONNELL. Madam President, when my friend Tommy Turner was first elected to lead LaRue County in 1985, he was the youngest Kentuckian to ever serve as a county judge-executive. Now, 35 years later, Tommy recently announced he would leave office as our Commonwealth's longest currently serving county leader. Records bookend his service, and more accomplishments fill the years between. I would like to take a moment to congratulate Tommy on his decades of leadership for LaRue County and to thank him for his many contributions to Kentucky.

Every county judge-executive is responsible for local services such as the county's budget and road maintenance. As LaRue County's leader, however, Tommy was given an additional—almost sacred—charge. He helped preserve the birthplace of our most famous Kentuckian, Abraham Lincoln. Tommy took seriously his role in honoring Lincoln, and Kentucky will continue to benefit from his enthusiasm for our Nation's 16th President.

Along with a group of motivated citizens, Tommy helped establish the Lincoln Museum in Hodgenville. In a typical year, thousands of tourists will visit the museum and the nearby Abraham Lincoln National Historical Park. Tommy championed an effort to expand the National Park by coordinating a donation to include Lincoln's Boyhood Home on Knob Creek. This year, Kentucky Living Magazine named the Lincoln Museum as the Commonwealth's Best Museum, a well-deserved distinction for their efforts to safeguard the Great Emancipator's legacy.

In 2000, Congress created the Abraham Lincoln Bicentennial Commission to prepare national celebrations for the President's 200th birthday. Recommended by Kentucky's Governor at the time and appointed by the President, Tommy was a fine choice to serve as a commissioner. Hodgenville would later host the celebration's National Opening Ceremony and lead the country in honoring President Lincoln.

Over the years, I have worked with Tommy to preserve Lincoln's heritage in LaRue County and to deliver for the community's bright future. It has also been a privilege to join Tommy's radio show to speak directly with local families about their priorities and my work for Kentucky in the Senate.

Tommy spent half of his life as LaRue County's judge-executive. The results of his leadership can be seen across the county in its growth and opportunity. I would like to encourage my Senate colleagues to join me in thanking Tommy for his service and for preserving the memory of one of our country's greatest leaders. In whatever comes next for Tommy, I wish him the best. I look forward to his continued contributions to our great Commonwealth.

SUPREME COURT NOMINATIONS

Mrs. LOEFFLER. Madam President, Mrs. Kelly Loeffler, of Georgia, rejects the assertion by Mr. CHUCK SCHUMER, of New York, that there is no precedent for a Supreme Court justice being confirmed after July 1 in a Presidential election year.

In fact on three separate occasions, a duly-elected President appointed and the Senate confirmed a Supreme Court justice in a Presidential election year: John Hessin Clarke: confirmed by the Senate on July 24, 1916; George Shiras, Jr.: confirmed by the Senate on July 26, 1892; and Melville Fuller: confirmed by the Senate on July 20, 1888.

The Constitution does not limit the President's nomination powers during the fourth year of his term.

I support President Donald J. Trump's decision to nominate a justice

to the Supreme Court who will uphold the rule of law and the Constitution as written. I look forward to performing my constitutional duty to advise and consent on his nominee before November 3, 2020.

NATIONAL SMALL BUSINESS WEEK

Mr. CARDIN. Madam President, today I thank the 30 million small businesses in America for their contributions to our economy during this year's National Small Business Week, which began on Sunday, September 20 and ends on Saturday, September 26. National Small Business Week is the time of year when we come together to celebrate our Nation's small businesses for their role in moving our economy forward by boosting local economies, improving industries through innovation, and employing nearly half of our country's workforce.

Taking time to recognize our Nation's small businesses is especially important this year due to the many ways—big and small—that our small businesses have stepped up to help our communities get through the pandemic.

In my home State of Maryland, I have seen distilleries use their facilities to make hand sanitizer when supplies were low; I have seen lacrosse equipment manufacturers produce face shields and masks for doctors and first responders; and I have heard stories about the many small government contractors that are helping Federal agencies address COVID–19. Today I am proud to recognize the founder of one of those small government contractors, Dr. Anton Bizzell, who has been named Maryland Small Business Person of the Year by the Small Business Administration.

Dr. Bizzell's company, the Bizzell Group, is an 8(a) certified small business that specializes in strategy and technology and works at the forefront of public health issues. Most recently, the Bizzell Group has been helping the Centers for Disease Control and Prevention keep our communities aware of the latest information regarding the COVID–19 pandemic.

After more than 25 years of experience in health services, policy, and management, Dr. Bizzell founded the Bizzell Group in 2010 to provide data-driven and innovative solutions to clients in an effort to build healthy, secure, and connected communities. In the years since, the company has grown to include nearly 100 employees with four offices in Lanham, Rockville, Atlanta, GA, and the Democratic Republic of the Congo.

Dr. Bizzell has said, ''Business is most successful when done with integrity, excellence, and heart, and success is when your end result makes the world a better place.'' His philosophy is clearly at work at the Bizzell Group.

Dr. Bizzell and the Bizzell Group are a shining example of the vital role small businesses and entrepreneurs play in our communities. In addition to the more than 100 jobs created by the Bizzell Group, Dr. Bizzell serves on the Maryland Board for the March of Dimes, and he is president of the Delta Lambda Chapter of the Alpha Phi Alpha Fraternity.

I congratulate Dr. Bizzell for being named Maryland's Small Business Person of the Year, and I thank him and his colleagues at the Bizzell Group for their efforts to keep our communities informed about COVID–19 during this unprecedented public health crisis. I am proud to represent them in the U.S. Senate.

Now more than ever, these contributions to our economy and communities deserve to be recognized. Dr. Bizzel and the many small business owners like him in communities across the nation are why I will continue to fight for Congress to pass another economic relief bill that meets the needs of our communities and small businesses. So many of our Nation's small businesses have stepped up for us, and Congress must once again do the same for them.

TRIBUTE TO RHONDA ZIMMERMAN

Mr. BARRASSO. Madam President, I rise today in celebration of Rhonda Zimmerman, the Boys and Girls Club of Central Wyoming's 2020 honoree.

Since 1978, the Boys and Girls Clubs of Central Wyoming has worked to make a positive difference in the lives of children. Their mission is to inspire all youth, especially those who need them the most. They strive to help young people reach their full potential as productive, responsible, and caring citizens. The programs, leagues, and activities serve the children in our community by cultivating academic success, healthy lifestyles, and good character and citizenship.

On October 21, 2020, the Boys and Girls Club of Central Wyoming will host the 22nd Annual Awards and Recognition Breakfast. Every year at this event, the Boys and Girls Club honors a member of the community who has made outstanding contributions to their organization, Wyoming youth, and the city of Casper. It is an inspiring celebration.

This year's honoree is Rhonda Zimmerman. She is an ideal choice to receive this honor because of her lifelong dedication to our children and families. With this award, the Boys and Girls Club of Central Wyoming shows their gratitude for Rhonda's work, which mirrors the Club's important mission.

Rhonda has given of her time and talents to the youth of our community for her entire life. Being raised in the Zimmerman family, she was taught the value of hard work and giving back to others. She grew up in Casper, the oldest of her siblings, Mitch, Michael, and Renee, and with her loving parents, Gail, Lois, and later Anne. Their character contributed greatly to Rhonda's Christian values and giving nature. Rhonda attended Casper College, earning an associate's degree in criminal justice and social work and later earned her bachelor's degree in social work from the University of Wyoming at Casper College.

Rhonda's passion for her community and the well-being of her neighbors has shown time and again through her work as a counselor at the Youth Crisis Center, the Wyoming Behavioral Institute, and Central Wyoming Counseling Center. In 2011, Rhonda cofounded Casper Family Connections. Their mission is to provide children who are unable to live with one or both parents a safe and conflict-free environment. They provide also for healthy contact with the noncustodial family. They offer parenting classes as well as mental health services on top of their important mission, giving children and families a strong foundation on which to build.

Family holds a particularly special place in Rhonda's life. She raised two children, Greg and Kendra. Together, Greg and Rhonda own and operate E&F Towing and Transport in Casper. She also serves on the Boys and Girls Clubs of Central Wyoming board of directors along with her brother Mitch.

Rhonda sets an example everyone can follow. She is the first to offer a helping hand and shows a passion for improving the lives of others. The Code of the West charges us to live each day with courage. Not only does Rhonda embody this principle, but she gives everyone around her the tools they need to live the same. Wyoming, Casper, and the Boys and Girls Club of Central Wyoming are fortunate to have her.

It is with great honor that I recognize this outstanding member of our Wyoming community. My wife, Bobbi, joins me in extending our congratulations to Rhonda Zimmerman upon her selection for this special award.

ADDITIONAL STATEMENTS

HISTORIC ASHE HOSPITAL

• Mr. TILLIS. Madam President, I rise today to honor the achievements of the organizations and people who led the successful redevelopment of Historic Ashe Hospital in Jefferson, NC. This once abandoned property on the National Register of Historic Places today provides 46 affordable homes for seniors, people with disabilities, and homeless individuals at a time when affordable housing is needed more than ever.

This incredible property was developed through the use of the Low-Income Housing Tax Credit, known as the Housing Credit. In North Carolina and across the country, it is one of our most important tools in the fight to provide affordable housing for at-risk families in our communities. More than 87,000 North Carolina homes have been developed using the Housing Credit, and more than 3 million homes nationwide. They serve our low-income

seniors, veterans, disabled individuals, and working families.

That is why I am pleased to announce that this important site has been recognized by the Affordable Housing Tax Credit Coalition as a 2020 recipient of the Charles L. Edson Tax Credit Award, which recognizes excellence in the affordable housing industry and organizations that have demonstrated the most impactful use of the Housing Credit.

Historic Ashe Hospital in Jefferson is no exception. The historic building includes a community room for residents to gather, office space for those now working from home, a library for residents of all ages, and a memory room with artifacts from the original hospital. Wide hallways, tall ceilings, and large windows remind residents of the great public spaces of the past and beautiful views of the Blue Ridge Mountains.

Historic Ashe is also located across the street from the Appalachian District Health Department, which delivers services including case management, skilled nursing, physical and occupational therapy, and respite care. Vaya Health of western North Carolina provides a variety of mental health services on-site, and other community partners provide GED classes to those interested, transportation to the local senior center, volunteer opportunities, and a variety of other education and support services.

It is truly a monumental achievement in terms of creative property development and the judicious use of public and private funding to benefit the residents of Jefferson, while contributing to the Nation's vital supply of affordable housing.

Several groups and individuals were instrumental in bringing the project to fruition, including Northwestern Housing Enterprises, Incorporated, Redstone Equity Partners, Foss & Company, Bank of Tennessee, Federal Home Loan Bank of Cincinnati, Tise-Kiester Architects of Chapel Hill, and notably E. G. ''Ned'' Fowler, President of Northwestern Housing Enterprises.

To everyone involved in the development of Historic Ashe Hospital for affordable housing in Jefferson, I offer my congratulations and gratitude on behalf of the people of North Carolina. Thank you.●

MESSAGE FROM THE PRESIDENT

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

EXECUTIVE MESSAGE REFERRED

In executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Intelligence to be sequentially referred to the Committee on Homeland Security and Governmental Affairs.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 743. An act to award a Congressional Gold Medal to the soldiers of the 5307th Composite Unit (Provisional), commonly known as ''Merrill's Marauders'', in recognition of their bravery and outstanding service in the jungles of Burma during World War II.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 991. An act to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes.

H.R. 1923. An act to amend title 31, United States Code, to require the Secretary of the Treasury to mint and issue certain circulating collectible coins, and for other purposes.

H.R. 2166. An act to authorize a comprehensive, strategic approach for United States foreign assistance to developing countries to strengthen global health security, and for other purposes.

H.R. 3010. An act to amend title 38, United States Code, to establish a mission statement of the Department of Veterans Affairs.

H.R. 3228. An act to amend title 38, United States Code, to authorize health professional trainees to provide treatment via telemedicine, and for other purposes.

H.R. 4104. An act to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of the Negro Leagues baseball.

H.R. 4864. An act to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

H.R. 4908. An act to amend title 38, United States Code, to prohibit the collection of a health care copayment by the Secretary of Veterans Affairs from a veteran who is a member of an Indian tribe.

H.R. 5664. An act to amend the Trafficking Victims Protection Act of 2000 to ensure adequate time for the preparation of the annual Trafficking in Persons Report, require the timely provision of information to the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State regarding the number and location of visa denials based, in whole or in part, on grounds related to human trafficking, and for other purposes.

H.R. 6092. An act to direct the Secretary of Veterans Affairs to establish a national clinical pathway for prostate cancer, access to life-saving extending precision clinical trials and research, and for other purposes.

H.R. 6192. An act to require the Secretary of the Treasury to honor the 100th anniversary of completion of coinage of the ''Morgan Dollar'' and the 100th anniversary of commencement of coinage of the ''Peace Dollar'', and for other purposes.

H.R. 6210. An act ensuring that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

H.R. 6589. An act to direct the Secretary of Veterans Affairs to develop and submit to Congress a plan to address the material weakness of the Department of Veterans Affairs, and for other purposes.

H.R. 7795. An act to amend title 38, United States Code, to improve the ability of veterans to access and submit disability benefit questionnaire forms of the Department of Veterans Affairs.

H.R. 8276. An act to authorize the President to posthumously award the Medal of Honor to Alwyn C. Cashe for acts of valor during Operation Iraqi Freedom.

MEASURES REFERRED

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

H.R. 991. An act to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes; to the Committee on Finance.

H.R. 1923. An act to amend title 31, United States Code, to require the Secretary of the Treasury to mint and issue certain circulating collectible coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2166. An act to authorize a comprehensive, strategic approach for United States foreign assistance to developing countries to strengthen global health security, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3010. An act to amend title 38, United States Code, to establish a mission statement of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 4864. An act to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 4908. An act to amend title 38, United States Code, to prohibit the collection of a health care copayment by the Secretary of Veterans Affairs from a veteran who is a member of an Indian tribe; to the Committee on Veterans' Affairs.

H.R. 5664. An act to amend the Trafficking Victims Protection Act of 2000 to ensure adequate time for the preparation of the annual Trafficking in Persons Report, require the timely provision of information to the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State regarding the number and location of visa denials based, in whole or in part, on grounds related to human trafficking, and for other purposes; to the Committee on Foreign Relations.

H.R. 6092. An act to direct the Secretary of Veterans Affairs to establish a national clinical pathway for prostate cancer, access to life-saving extending precision clinical trials and research, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6192. An act to require the Secretary of the Treasury to honor the 100th anniversary of completion of coinage of the ''Morgan Dollar'' and the 100th anniversary of commencement of coinage of the ''Peace Dollar'', and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6210. An act ensuring that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes; to the Committee on Foreign Relations.

H.R. 6589. An act to direct the Secretary of Veterans Affairs to develop and submit to Congress a plan to address the material weakness of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 7795. An act to amend title 38, United States Code, to improve the ability of veterans to access and submit disability benefit questionnaire forms of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 4653. A bill to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.

H.R. 8337. An act making continuing appropriations for fiscal year 2021, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3228. An act to amend title 38, United States Code, to authorize health professional trainees to provide treatment via telemedicine, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4675. A bill to amend the Health Insurance Portability and Accountability Act.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–5511. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Trichoderma asperellum, strain T34; Exemption from the Requirement of a Tolerance'' (FRL No. 10013–33–OCSPP) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5512. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pseudomonas fluorescens strain ACK55; Exemption from the Requirement of a Tolerance'' (FRL No. 10013–27–OCSPP) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5513. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''User Fees'' (RIN0790–AK45) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Armed Services.

EC–5514. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was established in Executive Order 13224 on September 23, 2001, as amended; to the Committee on Banking, Housing, and Urban Affairs.

EC–5515. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Texas; Construction Prior to Permit Amendment'' (FRL No. 10014–57–Region 6) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Environment and Public Works.

EC–5516. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Wyoming Underground Injection Control Program; Class VI Primacy'' (FRL No. 10013–68–OW) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Environment and Public Works.

EC–5517. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances (19–5.B)'' (FRL No. 10013–95–OCSPP) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Environment and Public Works.

EC–5518. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Miscellaneous Changes Under the Setting Every Community Up for Retirement Enhancement Act of 2019 and the Bipartisan American Miners Act of 2019'' (Notice 2020–68) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC–5519. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice Regarding the Special Per Diem Rates for 2020–2021'' (Notice 2020–71) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC–5520. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modifications to Rev. Proc. 2016–37 and Rev. Proc. 2019–39'' (Rev. Proc. 2020–40) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC–5521. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update to Rev. Rul. 94–74'' (Rev. Rul. 2020–19) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC–5522. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, a report relative to actions taken in fiscal year 2019 to conclude cultural property agreements with Bulgaria, China, Honduras, and Algeria; to the Committee on Finance.

EC–5523. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, three (3) reports of the Cultural Property Advisory Committee (CPAC) from 2019 relative to memoranda of understanding and cultural property agreements; to the Committee on Finance.

EC–5524. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Specialty Care Models to Improve Quality of Care and Reduce Expenditures'' (RIN0938–AT89) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Finance.

EC–5525. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Limitation on Deduction for Business Interest Expense'' ((RIN1545–BO73) (TD 9905)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC–5526. A communication from the Acting Assistant Secretary of State, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of deconfliction channels with Iran; to the Committee on Foreign Relations.

EC–5527. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3538-EM in the State of Louisiana having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–5528. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3540-EM in the State of Texas having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–5529. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3529-EM in the State of Hawaii having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–5530. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2020–09, Small Entity Compliance Guide'' (FAC 2020–09) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–5531. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2020–09, Introduction'' (FAC 2020–09) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–5532. A communication from the Executive Director, Office of General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled ''Temporary Waiver of Notarization Requirement for Spousal Consent; Withdrawal of Interim Rule'' (5 CFR Part 1650) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–5533. A communication from the Executive Director, Office of General Counsel, Federal Retirement Thrift Investment Board,

transmitting, pursuant to law, the report of a rule entitled ''Financial hardship withdrawals'' (5 CFR Part 1650) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–5534. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees' Retirement System; Present Value Conversion Factors for Spouses of Deceased Separated Employees'' (RIN3206–AO03) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–5535. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees' Retirement System; Normal Cost Percentage for Certain Members of the Capitol Police'' (RIN3206–AO02) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–5536. A communication from the Deputy Assistant General Counsel, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priorities, Requirements, and Definitions-Fund for the Improvement of Postsecondary Education-Open Textbooks Pilot Program'' (34 CRF Chapter VI) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–5537. A communication from the Deputy Assistant General Counsel, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Distance Education and Innovation'' (RIN1840–AD38) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–5538. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Pension Benefit Statements - Lifetime Income Illustrations'' (RIN1210–AB20) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–5539. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Revocation of the Test for Mycoplasma'' (RIN0910–AH95) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–5540. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Direct Grant Programs, State-Administered Formula Grant Programs, Non Discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, Developing Hispanic-Serving Institutions Program, Strengthening Institutions Program, Strengthening Historically Black Colleges and Universities Program, and Strengthening Historically Black Graduate Institutions Program'' (RIN1840–AD45) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–5541. A communication from the Regulations Coordinator, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Control of Communicable Diseases; Foreign Quarantine: Suspension of the Right to Introduce and Prohibition of Introduction of Persons into United States from Designated Foreign Countries or Places for Public Health Purposes'' (RIN0920–AA76) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–5542. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Fiscal Year 2019 Annual Civil Debt Collection Activity Report to Congress''; to the Committee on the Judiciary.

EC–5543. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Victims Compensation Fund established by the Witness Security Reform Act of 1984; to the Committee on the Judiciary.

EC–5544. A communication from the Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Schools and Libraries Universal Service Support Mechanism'' ((RIN3060–AK57) (CC Docket No. 02–6)) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5545. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Assessment and Collection of Regulatory Fees for fiscal year 2020, Report and Order and Further Notice of Proposed Rulemaking'' ((FCC 20–120) (MD Docket No. 20–105)) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5546. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Low Country Splash, Charleston, South Carolina'' ((RIN1625–AA08) (Docket No. USCG–2020–0290)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5547. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Emergency Safety Zone; Lower Mississippi River, Knowlton Revetment, Arkansas'' ((RIN1625–AA00) (Docket No. USCG–2020–0520)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5548. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Victoria Barge Canal, Victoria, Texas'' ((RIN1625–AA00) (Docket No. USCG–2020–0525)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5549. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Corpus Christi Ship Channel, Corpus Christi, Texas'' ((RIN1625–AA00) (Docket No. USCG–2020–0543)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5550. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Trent River, New Bern, North Carolina'' ((RIN1625–AA09) (Docket No. USCG–2020–0027)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5551. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Northern Atlantic Ocean, Nahant, Massachusetts'' ((RIN1625–AA008) (Docket No. USCG–2020–0446)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5552. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lake Pontchartrain'' ((RIN1625–AA00) (Docket No. USCG–2020–0510)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5553. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Atlantic Intracoastal Waterway, Horry County, Safety Zone; St Johns River and Atlantic Ocean, Jacksonville, Florida'' ((RIN1625–AA00) (Docket No. USCG–2020–0382)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5554. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; September Fairport Parade; Lake Erie, Fairport, Ohio'' ((RIN1625–AA00) (Docket No. USCG–2020–0539)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5555. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Delaware River Dredging, Marcus Hook, Pennsylvania'' ((RIN1625–AA00) (Docket No. USCG–2020–0545)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5556. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Emergency Safety Zone; Red River; Avoyelles Parish, Louisiana'' ((RIN1625–AA00) (Docket No. USCG–2020–0503)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5557. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Erie Yacht Club 125th Anniversary Summer Event, Presque Island Bay, Erie, Pennsylvania'' ((RIN1625–AA00) (Docket No. USCG–2020–0394)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5558. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters, and Shipping; Technical, Organizational, and Conforming

Amendments'' (Docket No. USCG–2020–0304) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5559. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Atlantic Ocean, Cape Canaveral, Florida'' ((RIN1625–AA00) (Docket No. USCG–2020–0536)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5560. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Atlantic Intracoastal Waterway, Horry County, South Carolina'' ((RIN1625–AA00) (Docket No. USCG–2020–0498)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–242. A resolution adopted by the General Assembly of the State of New Jersey expressing its opposition to and disapproval of the United States Department of Housing and Urban Development's proposed rulemaking revising its Affirmatively Furthering Fair Housing rule adopted in 2015; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY RESOLUTION NO. 112

Whereas, In 2015, the United States Department of Housing and Urban Development (''HUD'') adopted an Affirmatively Furthering Fair Housing (''AFFH'') rule that established a new framework for HUD funding recipients to meet their longstanding legal obligation under the federal Fair Housing Act to reduce barriers to fair housing and equal opportunity; and

Whereas, The AFFH rule was promulgated in response to the recommendations of the United States Government Accountability Office and affected stakeholders centered on the need for HUD to bolster its fair housing planning obligations by providing greater clarity and support to HUD funding recipients and facilitating local decision-making on fair housing priorities and goals; and

Whereas, The AFFH rule achieves these ends by providing clearer standards for meeting fair housing obligations, greater transparency, increased access to data concerning fair housing conditions and access to opportunity, and new mapping and customizable assessment tools, as well as by encouraging collaboration between jurisdictions and community input and participation; and

Whereas, The AFFH rule ultimately serves to help HUD funding recipients take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination; and

Whereas, On August 9, 2018, HUD issued an advance notice of a proposed rulemaking that would undo much of the AFFH rule for the stated reasons that the rule impeded the development and rehabilitation of affordable housing and provided inadequate autonomy to HUD funding recipients; and

Whereas, The AFFH rule has not been in effect long enough to adequately assess its effect on the development and rehabilitation of affordable housing, the rule does not in fact dictate how communities should meet their fair housing obligations, and the rule has produced concrete improvements in fair housing, such as the commitment of Chester County, Pennsylvania to reduce the number of Section 8 recipients living in high-poverty census tracts by five percentage points; and

Whereas, It is altogether fitting, proper, and in the public interest, for this House to express opposition to HUD's proposed rulemaking that would upend the AFFH rule and exacerbate housing inequities in both this State and across the United States; now, therefore,

Be it resolved by the General Assembly of the State of New Jersey:

1. This House expresses its opposition to and disapproval of the United States Department of Housing and Urban Development's proposed rulemaking revising its Affirmatively Furthering Fair Housing rule adopted in 2015.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the United States Secretary of Housing and Urban Development, and each member of Congress elected from this State.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. ERNST (for herself, Mr. JONES, and Ms. HASSAN):

S. 4657. A bill to direct the Secretary of Veterans Affairs to designate one week each year as ''Buddy Check Week'' for the purpose of outreach and education concerning peer wellness checks for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LANKFORD (for himself, Mr. BRAUN, Mr. CRAMER, Mrs. LOEFFLER, Mr. INHOFE, Mr. RUBIO, Mr. RISCH, Mr. CORNYN, Mr. MORAN, Mr. CRAPO, Mr. SCOTT of Florida, Mr. HAWLEY, Mr. KENNEDY, Mr. THUNE, Mr. LEE, and Mr. ROUNDS):

S. 4658. A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions; to the Committee on Finance.

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

S. 4659. A bill to require a determination as to whether crimes committed against the Rohingya in Burma amount to genocide; to the Committee on Foreign Relations.

By Mr. JONES:

S. 4660. A bill to amend titles 10 and 14, United States Code, to include certain diversity-related requirements for the Armed Forces and the Coast Guard, and for other purposes; to the Committee on Armed Services.

By Mr. COTTON (for himself, Mr. RUBIO, Mr. SCOTT of Florida, Mr. KAINE, Mr. MANCHIN, Mr. BLUMENTHAL, and Mr. CRUZ):

S. 4661. A bill to authorize the President to posthumously award the Medal of Honor to Alwyn C. Cashe for acts of valor during Operation Iraqi Freedom; to the Committee on Armed Services.

By Mr. GRAHAM:

S. 4662. A bill to amend title 18, United States Code, to criminalize blocking law enforcement officers who have been injured by a criminal act or in the line of duty from accessing emergency medical services; to the Committee on the Judiciary.

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

S. 4663. A bill to amend title 31, United States Code, to save Federal funds by authorizing changes to the composition of circulating coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 4664. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain waste water management subsidies; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 4665. A bill to require senior officials to report payments received from the Federal Government and to improve the filing and disclosure of financial disclosures by Members of Congress, congressional staff, and very senior employees; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself and Ms. COLLINS):

S. 4666. A bill to establish the Commission on the Coronavirus Pandemic in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. 4667. A bill to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 4668. A bill to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote; to the Committee on Rules and Administration.

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

S. 4669. A bill to require sellers of internet applications to disclose country-of-origin information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MORAN (for himself, Mrs. SHAHEEN, Mr. ROUNDS, Mr. BLUNT, and Mr. TILLIS):

S. 4670. A bill to amend the CARES Act to permit the Secretary of the Treasury to purchase, or to enable the purchase of, preferred equity positions in commercial real estate entities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. DUCKWORTH (for herself, Mr. WYDEN, Mr. KAINE, Mr. MERKLEY, and Mr. BOOKER):

S. 4671. A bill to prohibit Federal law enforcement officers from wearing camouflage uniforms in the United States; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. BURR, Ms. SMITH, and Mr. SCOTT of South Carolina):

S. 4672. A bill to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 4673. A bill to amend the Natural Gas Act to require the Federal Energy Regulatory Commission to consider certain factors in issuing certificates of public convenience and necessity under that Act, to modify the requirements for the right to exercise eminent domain in construction of pipelines

under that Act, to provide that the right of eminent domain may not be exercised under that Act for projects for the exportation of natural gas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Ms. SMITH):

S. 4674. A bill to amend title XIX of the Social Security Act to clarify that drugs and biologicals used for medication-assisted treatment under Medicaid are subject to the requirements of the Medicaid Drug Rebate Program; to the Committee on Finance.

By Mr. TILLIS:

S. 4675. A bill to amend the Health Insurance Portability and Accountability Act; read the first time.

By Mr. COONS (for himself, Mr. CARDIN, Ms. KLOBUCHAR, Mrs. SHAHEEN, Ms. CANTWELL, Mr. MARKEY, Ms. HIRONO, Mrs. GILLIBRAND, Mr. VAN HOLLEN, and Mr. KING):

S. 4676. A bill to improve the debt relief program under the CARES Act, and for other purposes; to the Committee on Finance.

By Ms. ROSEN (for herself and Mrs. HYDE-SMITH):

S. 4677. A bill to amend the Workforce Innovation and Opportunity Act to create a new national program to support mid-career workers, including workers from underrepresented populations, in reentering the STEM workforce, by providing funding to small- and medium-sized STEM businesses so the businesses can offer paid internships or other returnships that lead to positions above entry level; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LANKFORD (for himself, Mr. CRAMER, Mr. HOEVEN, and Mrs. CAPITO):

S. 4678. A bill to amend the Internal Revenue Code of 1986 to repeal the credit for electricity produced from certain renewable resources, and for other purposes; to the Committee on Finance.

By Mr. LEE:

S. 4679. A bill to require the Bureau of the Census to determine income and poverty levels in the United States in a manner that accounts for the receipt of Federal benefits, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4680. A bill to amend the Natural Gas Act to provide that the United States district courts shall not have jurisdiction to condemn property in which a State holds any interest, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. INHOFE:

S. Res. 713. A resolution expressing the sense of the Senate that the August 13, 2020, announcement of the establishment of full diplomatic relations between the State of Israel and the United Arab Emirates and the September 11, 2020, announcement of the establishment of full diplomatic relations between the State of Israel and the Kingdom of Bahrain is a historic achievement; to the Committee on Foreign Relations.

By Ms. DUCKWORTH (for herself, Mr. BOOKER, Mr. MERKLEY, Ms. WARREN, Mr. HEINRICH, Ms. HARRIS, Mrs. FEINSTEIN, and Mr. MARKEY):

S. Res. 714. A resolution encouraging the Administrator of the Environmental Protection Agency to maintain and strengthen requirements under the Clean Water Act and reverse ongoing administrative actions to weaken the Clean Water Act and protections for waters of the United States; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself and Mr. MORAN):

S. Con. Res. 46. A concurrent resolution to correct the enrollment of S. 2330; considered and agreed to.

By Mr. MERKLEY (for himself, Mr. BOOKER, Mr. MARKEY, Mr. WYDEN, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. HEINRICH, and Mr. WHITEHOUSE):

S. Con. Res. 47. A concurrent resolution recognizing that the climate crisis is disproportionately affecting the health, economic opportunity, and fundamental rights of children, expressing the sense of Congress that renewed leadership by the United States is needed to address the climate crisis, and recognizing the need of the United States to develop a national, comprehensive, and science-based climate recovery plan to phase out fossil fuel emissions, protect and enhance natural sequestration, and put the United States on a path toward stabilizing the climate system; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 514

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

At the request of Mr. CRAPO, his name was added as a cosponsor of S. 514, supra.

S. 569

At the request of Mr. YOUNG, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 569, a bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 861

At the request of Mr. MARKEY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 861, a bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTI Peoples, and for other purposes.

S. 878

At the request of Mr. COTTON, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 878, a bill to foster security in Taiwan, and for other purposes.

S. 946

At the request of Mr. VAN HOLLEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 946, a bill to direct the Comptroller General of the United States to complete a study on barriers to participation in federally funded cancer clinical trials by populations that have been traditionally underrepresented in such trials.

S. 1602

At the request of Ms. COLLINS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1602, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for grid-scale energy storage systems, and for other purposes.

S. 1791

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1791, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2001

At the request of Ms. STABENOW, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2001, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 2054

At the request of Mr. MARKEY, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Hawaii (Ms. HIRONO), the Senator from Maine (Mr. KING) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2054, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 2438

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2438, a bill to prevent, treat, and cure tuberculosis globally.

S. 2748

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2748, a bill to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T–Band spectrum.

S. 2882

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 2882, a bill to establish a community

wildfire defense grant program, and for other purposes.

S. 2898

At the request of Mr. INHOFE, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2898, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 2950

At the request of Mr. SULLIVAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2950, a bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.

S. 3595

At the request of Ms. ROSEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3595, a bill to require a longitudinal study on the impact of COVID–19.

S. 3761

At the request of Mr. TESTER, the names of the Senator from Maine (Mr. KING) and the Senator from Rhode Island (Mr. REED) 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.

S. 3831

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3831, a bill to authorize the position of Assistant Secretary of Commerce for Travel and Tourism, to statutorily establish the United States Travel and Tourism Advisory Board, and for other purposes.

S. 4003

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

S. 4032

At the request of Mr. LANKFORD, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 4032, a bill to amend the Internal Revenue Code of 1986 to allow above-the-line deductions for charitable contributions for individuals not itemizing deductions.

S. 4150

At the request of Ms. COLLINS, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor 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 Mr. REED, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 4150, supra.

S. 4233

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

S. 4258

At the request of Mr. CORNYN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 4258, a bill to establish a grant program for small live venue operators and talent representatives.

S. 4279

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 4279, a bill to require the disclosure to Congress of presidential emergency action documents.

S. 4298

At the request of Mr. MORAN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 4298, a bill to amend the Agricultural Marketing Act of 1946 to direct the Secretary of Agriculture to make grants for improvements to meat and poultry facilities to allow for interstate shipment, and for other purposes.

S. 4349

At the request of Mr. KAINE, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. 4349, a bill to address behavioral health and well-being among health care professionals.

S. 4380

At the request of Mr. RUBIO, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4380, a bill to provide redress to the employees of Air America.

S. 4520

At the request of Mrs. LOEFFLER, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 4520, a bill to transfer the responsibility of verifying small business concerns owned and controlled by veterans or service-disabled veterans to the Small Business Administration, and for other purposes.

S. 4528

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 4528, a bill to strengthen the United States ties with Latin American and Caribbean countries through diplomatic, economic, and security cooperation, to counter efforts by the People's Republic of China to undermine United States interests and values in the Americas, and to promote economic development and competitiveness in the Latin American and Caribbean region.

S. 4579

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 4579, a bill to increase, effective as of December 1, 2020, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 4582

At the request of Mr. RUBIO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 4582, a bill to extend, temporarily, daylight saving time, and for other purposes.

S. 4629

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4629, a bill to address issues involving the People's Republic of China.

S. 4634

At the request of Mr. WICKER, the names of the Senator from Colorado (Mr. GARDNER), the Senator from Texas (Mr. CRUZ), the Senator from West Virginia (Mrs. CAPITO), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Montana (Mr. DAINES), the Senator from Iowa (Mr. GRASSLEY), the Senator from Indiana (Mr. YOUNG), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Alaska (Mr. SULLIVAN), the Senator from Louisiana (Mr. CASSIDY), the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 4634, a bill to provide support for air carrier workers, and for other purposes.

S. RES. 672

At the request of Mr. GRAHAM, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor 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.

S. RES. 679

At the request of Mr. BRAUN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 679, a resolution expressing appreciation and support for essential employees with disabilities or who are blind during the COVID–19 pandemic and beyond.

S. RES. 685

At the request of Ms. DUCKWORTH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 685, a resolution honoring the service and sacrifice of members of the United States Armed Forces and veterans and condemning the disgraceful denigration by President Donald Trump of military service, prisoners of war, and Gold Star families.

S. RES. 709

At the request of Mr. GRAHAM, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. Res. 709, a resolution expressing the sense of the Senate that the August 13, 2020, and September 11, 2020, announcements of the establishment of full diplomatic relations between the State of Israel and the United Arab Emirates and the State of Israel and the Kingdom of Bahrain are historic achievements.

S. RES. 711

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 711, a resolution calling on the President of the United States to take executive action to broadly cancel Federal student loan debt.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. REED (for himself, Mr. BURR, Ms. SMITH, and Mr. SCOTT, of South Carolina):

S. 4672. A bill to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am pleased to introduce the Timely Reauthorization of Necessary Stem Cell Programs Lends Access to Needed Therapies (TRANSPLANT) Act of 2020 with Senators RICHARD BURR, TINA SMITH, and TIM SCOTT. This bill offers promise to the tens of thousands of individuals diagnosed with leukemia and lymphomas, sickle cell anemia, and rare genetic blood disorders.

Our bipartisan legislation renews the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory (NCBI), the only programs in the country that maintain donor registries for individuals in need of a bone marrow and umbilical cord blood transplantation. Over twenty-two million Americans are registered bone marrow donors resulting in nearly 6,500 transplants just last year. In the years since NCBI was established, more than 300,000 cord blood units have been collected, facilitating more than 100,000 blood stem cell transplants. The TRANSPLANT Act would reaffirm the commitment to these life-saving programs, which have been helping to connect individuals in need of bone marrow or umbilical cord blood transplants with donors for more than two decades.

The public registries, made up of donors from all over the country, have been a true lifeline for the Americans who have found an unrelated match. By strengthening and enhancing the important programs operating these registries, many more Americans will be afforded the opportunity to find a match if they are ever in need. I look forward to swift consideration of this legislation in the Senate Health, Education, Labor, and Pensions Committee and working toward passage in the full Senate.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 713—EXPRESSING THE SENSE OF THE SENATE THAT THE AUGUST 13, 2020, ANNOUNCEMENT OF THE ESTABLISHMENT OF FULL DIPLOMATIC RELATIONS BETWEEN THE STATE OF ISRAEL AND THE UNITED ARAB EMIRATES AND THE SEPTEMBER 11, 2020, ANNOUNCEMENT OF THE ESTABLISHMENT OF FULL DIPLOMATIC RELATIONS BETWEEN THE STATE OF ISRAEL AND THE KINGDOM OF BAHRAIN IS A HISTORIC ACHIEVEMENT

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 713

Whereas President Donald J. Trump, Prime Minister Benjamin Netanyahu of Israel, and other world leaders have worked tirelessly to announce agreements on the full normalization of relations between Israel and other nations;

Whereas the United Arab Emirates and the Kingdom of Bahrain have been the first Arab states to announce formal relations with Israel;

Whereas, under the agreements, the two countries agree to the establishment of reciprocal embassies and the exchange of Ambassadors;

Whereas opening direct ties between Israel and the United Arab Emirates and between Israel and Bahrain could begin to transform the region by spurring economic growth, enhancing technological innovation, and forging closer people-to-people relations;

Whereas these agreements could promote investment, tourism, direct flights, security, telecommunications, technology, energy, healthcare, culture, and the environment;

Whereas the United States, Israel, the United Arab Emirates, and Bahrain share a commitment to promoting stability through diplomatic engagement, increased economic integration, and closer security coordination;

Whereas Israel, the United Arab Emirates, and Bahrain will partner with the United States to launch a Strategic Agenda for the Middle East to expand diplomatic, trade, and security cooperation;

Whereas these historic agreements could help advance peace between Israel and other Arab nations;

Whereas these bilateral breakthroughs could set a precedent for further diplomatic openings throughout the region;

Whereas support for peace between Israel and its neighbors has longstanding bipartisan support in Congress and among the American people; and

Whereas the agreements build upon the decades-long leadership of the United States in helping Israel broker peace treaties with Egypt and Jordan and promoting peace talks between Israel and Syria, Lebanon, and the Palestinians: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Governments and people of Israel and the United Arab Emirates and the Governments and people of Israel and Bahrain on reaching their respective historic agreements;

(2) encourages other Arab nations to establish full relations with Israel with the vision of realizing full peace between Israel and all of its Arab neighbors; and

(3) urges the President to continue to engage with the Government of Israel and the United States' Arab partners in reaching these historic agreements.

SENATE RESOLUTION 714—ENCOURAGING THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY TO MAINTAIN AND STRENGTHEN REQUIREMENTS UNDER THE CLEAN WATER ACT AND REVERSE ONGOING ADMINISTRATIVE ACTIONS TO WEAKEN THE CLEAN WATER ACT AND PROTECTIONS FOR WATERS OF THE UNITED STATES

Ms. DUCKWORTH (for herself, Mr. BOOKER, Mr. MERKLEY, Ms. WARREN, Mr. HEINRICH, Ms. HARRIS, Mrs. FEINSTEIN, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 714

Whereas access to clean water is a fundamental human right;

Whereas the Federal Water Pollution Control Act (62 Stat. 1155, chapter 758) was enacted into law in 1948;

Whereas the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92–500; 86 Stat. 816) were enacted with bipartisan support and significantly reorganized and expanded the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly known as and hereinafter referred to in this preamble as the ''Clean Water Act'');

Whereas the Clean Water Act is one of the most important laws of the United States and the principal safeguard of the United States against unregulated pollution or destruction of surface waters of the United States;

Whereas the objective of the Clean Water Act is to ''restore and maintain the chemical, physical, and biological integrity of the Nation's waters'';

Whereas the Clean Water Act declared national goals of eliminating the discharge of pollutants into the waters of the United States by 1985 and, wherever attainable, ensuring that waters were fishable and swimmable by 1983;

Whereas the Clean Water Act provides strong and comprehensive requirements for the control of pollutants in the waters of the United States;

Whereas the Clean Water Act authorizes Federal financial assistance for building and upgrading municipal sewage treatment plants and other types of water quality improvements projects;

Whereas rivers, streams, lakes, ponds, wetlands, and other waters have enormous public health, community welfare, economic, and ecological importance to the United States, considering that—

(1) 1 in 3 individuals in the United States receive drinking water from systems that

draw supply from headwater, intermittent, or ephemeral streams;

(2) according to a report of the Environmental Protection Agency, streams provide the majority of water to most rivers and ''transport sediment, wood, organic matter, nutrients, chemical contaminants, and many of the organisms found in rivers'';

(3) chemical, physical, and biological processes in streams can convert nitrogen and other nutrients, preventing nitrogen and other nutrients from causing downstream harm;

(4) wetlands prevent and minimize flooding by storing as much as between 1,000,000 and 1,500,000 gallons of water for each acre of wetland;

(5) wetlands and other waters in the flood plains of rivers and streams help prevent pollution from reaching downstream waters;

(6) ¾ of fish harvested commercially depend on wetlands;

(7) the Centers for Disease Control and Prevention reported that ''about 91 million people over the age of 16 swim in oceans, lakes, and rivers each year in the United States'';

(8) approximately 37 percent of water withdrawals, or 118,000,000,000 gallons of water withdrawals per day, are used for irrigation, and 52 percent of water withdrawals are taken from surface waters;

(9) a recent study estimated that wetlands around the world provide ecosystem services like flood prevention and pollution filtration worth more than $47,000,000,000,000 per year;

(10) fishing and other water sports contribute $175,000,000,000 annually to the economy of the United States and support more than 1,500,000 jobs;

(11) companies often need clean water in their industrial processes or as a component of their end product, such as craft beer brewers that depend on a reliable source of clean water, add approximately $76,000,000,000 annually to the economy of the United States, and support more than 500,000 jobs;

(12) according to 1 study, the ecological restoration economy, which includes mitigation for harms to waters due to discharges of dredged or fill material, ''directly employs 126,000 workers and generates $9.5 billion in economic output'' per year, which ''supports an additional 95,000 jobs and $15 billion in economic output through indirect (business-to-business) linkages and increased household spending'';

(13) more than 318,000,000 individuals visited national parks in the United States in 2018 to engage in recreation and be inspired by thundering waterfalls, streaming geysers, desert springs, ocean beaches, and jeweled lakes, generating $40,000,000,000 for the economy of the United States and more than 330,000 private sector jobs;

(14) the Environmental Protection Agency reports that the Great Lakes contain ''84% of North America's surface fresh water'' and ''about 21% of the world's supply of surface fresh water'';

(15) restoring and protecting the Great Lakes and their tributaries also protects the $6,000,000,000,000 regional economy of the Great Lakes and the 1,500,000 jobs and $62,000,000,000 in wages directly connected to the Great Lakes; and

(16) the Great Lakes and their tributaries facilitate nearly $16,000,000,000 in annual spending by residents and the 37,000,000 hunters, anglers, bird watchers, and other tourists who visit the region for recreation;

Whereas water pollution and the loss of water resources can cause catastrophic harm to the health and economic strength of communities, evidenced by the fact that—

(1) in 2014, a harmful algal bloom in western Lake Erie prompted a 3-day shutdown of the drinking water supply of Toledo, Ohio, affecting approximately 500,000 individuals;

(2) a spill of a toxic chemical into the Elk River in Charleston, West Virginia, caused a cutoff of drinking water for approximately 300,000 individuals for several days;

(3) outbreaks of blue-green algae and red tide in Florida have caused widespread harm to businesses and have killed a substantial number of aquatic animals over multiple years, with the effects of the outbreaks in 2018 being particular severe;

(4) in 2008, the coal ash waste pit of the Tennessee Valley Authority near Kingston, Tennessee, experienced a mammoth structural failure and released more than 1,000,000,000 tons of waste into the Emory and Clinch Rivers, and a 2019 analysis found that similar pits around the country routinely leak and contaminate nearby groundwater and surface waters;

(5) beaches in multiple States, including Mississippi, New Jersey, Washington, and New York, were forced to close due to outbreaks of algae that are commonly fueled by nitrogen and phosphorus pollution;

(6) intense flooding is occurring in places like Houston, Texas, where wetland destruction is believed to be contributing to the severity of the flooding; and

(7) many areas of the United States are expected to experience worsened drought conditions with climate change, making the preservation of water resources more critical;

Whereas the Clean Water Act dramatically slowed the rate of wetlands loss in the United States from more 500,000 acres annually in the 1950s to approximately 80,000 acres annually in the late 1990s;

Whereas the quality of numerous water bodies has substantially improved since the adoption of the Clean Water Act, including the Charles River in Massachusetts, the Chesapeake Bay, and the Great Lakes;

Whereas, despite the improvements brought about by the Clean Water Act, the United States still faces major water resource and pollution challenges, evidenced by the fact that—

(1) according to the most recent State data submitted to the Environmental Protection Agency—

(A) 53 percent of assessed rivers and streams do not meet 1 or more water quality standards, which are established to ensure waters are clean enough for specific uses like fishing and swimming;

(B) 71 percent of assessed lakes, reservoirs, and ponds are impaired;

(C) 80 percent of assessed bays and estuaries are impaired; and

(D) 72 percent of assessed coastal shoreline waters are impaired; and

(2) the Centers for Disease Control and Prevention published a report stating that the increasing frequency of harmful algal blooms is associated with increasing temperatures and levels of nutrients in waters of the United States;

Whereas the 2017 Infrastructure Report Card of the American Society of Civil Engineers gave the wastewater infrastructure of the United States a grade of D+;

Whereas the most recent Clean Watersheds Needs Survey report to Congress identified not less than $271,000,000,000 worth of capital needs for wastewater, storm water, and other clean water infrastructure;

Whereas the condition of the waters of the United States consistently ranks as one of the most acute environmental worries of individuals in the United States, with 80 percent of respondents in a March 2019 Gallup Poll indicating that they worry a great deal or a fair amount about the pollution of rivers, lakes, and reservoirs;

Whereas the United States Commission on Civil Rights recommended further study and analysis of Federal laws, including the Clean Water Act, to analyze gaps in civil rights protections and found that the ''EPA's definition of environmental justice recognizes environmental justice as a civil right, fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies'';

Whereas the United States Geological Survey conducted limited monitoring of 17 perfluoroalkyl and polyfluoroalkyl substances (referred to in this preamble as ''PFAS'') in source and treated public water supplies from 25 drinking water facilities and found PFAS in all source water and public water supply samples collected;

Whereas a study led by Harvard University researchers found that the drinking water supplies for not less than 6,000,000 individuals in the United States exceed the health advisory of the Environmental Protection Agency for 2 PFAS, perfluorooctanoic acid (commonly referred to as ''PFOA'') and perfluorooctane sulfonic acid (commonly referred to as ''PFOS''), and more recent information indicates that more comprehensive monitoring would find that the drinking water of many times more than 6,000,000 individuals in the United States contains PFAS at levels that pose significant health hazards;

Whereas the Environmental Protection Agency has initiated numerous administrative actions that collectively would eviscerate the protections of the Clean Water Act and other safeguards for clean water, including—

(1) repealing science-based protections for streams, wetlands, and other waters and the exclusion of millions of miles of streams and tens of millions of acres of wetlands from the pollution control programs of the Clean Water Act;

(2) easing restrictions on wastewater plants, authorizing the plants to release partially treated sewage during rainstorms;

(3) refusing to develop regulations mandated by the Clean Water Act aimed at avoiding and minimizing spills of hazardous substances;

(4) weakening rules relating to the siting, operating, monitoring, and closing of pits where coal ash and other coal combustion waste is dumped;

(5) exempting polluters who harm waterways from the penalties of the Clean Water Act if their discharge first travels through groundwater from the discharge permitting program of the Clean Water Act;

(6) restricting the authority of experts from the Environmental Protection Agency under the Clean Water Act to stop dumping projects that cause unacceptable harms to water bodies;

(7) delaying and weakening toxic pollution discharge limits for power plants; and

(8) curtailing the rights of States and Tribal nations under the Clean Water Act to review federally-permitted projects and impose conditions on or reject a project, as appropriate, to prevent harm to their waterways;

Whereas the United States remains far from achieving the objective of the Clean Water Act by putting critical resources that provide enormous value to the United States at risk; and

Whereas the proposed actions of the Environmental Protection Agency would substantially worsen the risk to critical resources: Now, therefore, be it

Resolved, That the Senate encourages the Administrator of the Environmental Protection Agency to—

(1) maintain and strengthen, rather than attack, requirements that keep waterways of the United States clean;

(2) end any ongoing administrative actions that weaken—

(A) existing regulations that were promulgated under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(B) other requirements protecting the waters of the United States; and

(3) initiate actions to reverse any administrative actions that have already been completed that weaken the implementation by the Federal Government of—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(B) other requirements that protect the waters of the United States.

SENATE CONCURRENT RESOLUTION 46—TO CORRECT THE ENROLLMENT OF S. 2330

Mr. BLUMENTHAL (for himself and Mr. MORAN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 46

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of S. 2330, an Act to amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes, the Secretary of the Senate shall—

(1) in subsection (b)(2)(D) of section 220504 of title 36, United States Code, as amended by section 6(b)(2) of the Act, strike ''percent'';

(2) in subsection (a)(1)(H) of section 220541 of title 36, United States Code, as added by section 8(a)(1)(B) of the Act, strike ''in a manner than'' and insert ''in a manner that'';

(3) in subsection (f)(4)(B) of section 220541 of title 36 United States Code, as added by section 8(a)(1)(E) of the Act, insert ''and the Committee on the Judiciary'' after ''the Committee on Energy and Commerce'';

(4) amend paragraph (1) of section 220541(g) of title 36, United States Code, as added by section 8(a)(1)(E) of the Act, to read as follows:

''(1) MANDATORY PAYMENTS.—

''(A) FISCAL YEAR 2021.—On January 4, 2021, the corporation shall make a mandatory payment of $20,000,000 to the Center for operating costs of the Center for fiscal year 2021.

''(B) SUBSEQUENT FISCAL YEARS.—For fiscal year 2022 and each fiscal year thereafter, the corporation shall make a mandatory payment of $20,000,000 to the Center not later than the close of business on the first regular business day in January.''; and

(5) in subsection (h)(2)(C)(iii) of section 220541 of title 36, United States Code, as added by section 8(a)(1)(E) of the Act, insert ''and the Committee on the Judiciary'' after ''the Committee on Energy and Commerce''.

SENATE CONCURRENT RESOLUTION 47—RECOGNIZING THAT THE CLIMATE CRISIS IS DISPROPORTIONATELY AFFECTING THE HEALTH, ECONOMIC OPPORTUNITY, AND FUNDAMENTAL RIGHTS OF CHILDREN, EXPRESSING THE SENSE OF CONGRESS THAT RENEWED LEADERSHIP BY THE UNITED STATES IS NEEDED TO ADDRESS THE CLIMATE CRISIS, AND RECOGNIZING THE NEED OF THE UNITED STATES TO DEVELOP A NATIONAL, COMPREHENSIVE, AND SCIENCE-BASED CLIMATE RECOVERY PLAN TO PHASE OUT FOSSIL FUEL EMISSIONS, PROTECT AND ENHANCE NATURAL SEQUESTRATION, AND PUT THE UNITED STATES ON A PATH TOWARD STABILIZING THE CLIMATE SYSTEM

Mr. MERKLEY (for himself, Mr. BOOKER, Mr. MARKEY, Mr. WYDEN, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. HEINRICH, and Mr. WHITEHOUSE) submitted the following concurrent resolution; which was referred to the Committee on Environment and Public Works:

S. CON. RES. 47

Whereas a stable climate system at the founding of the United States allowed human life and human civilization to flourish;

Whereas the United States was founded on the deeply rooted principle of securing ''the Blessings of Liberty to ourselves and our Posterity'';

Whereas the Constitution of the United States protects the fundamental rights to life, liberty, property, and equal protection of the laws;

Whereas a climate system capable of sustaining human life—

(1) is fundamental to a free and ordered society; and

(2) is preservative of fundamental rights, including the rights to life, liberty, property, personal security, family autonomy, bodily integrity, and the ability to learn, practice, and transmit cultural and religious traditions;

Whereas the Federal Government sets the energy policy of the United States, which has resulted in a national energy system in which approximately 80 percent of the energy in the United States comes from fossil fuels;

Whereas the national fossil fuel-based energy system has led to carbon dioxide emissions from the United States constituting more than ¼ of cumulative global carbon dioxide emissions;

Whereas the United States is the largest producer of oil and gas in the world, due in substantial part to the Federal Government—

(1) opening up Federal public land and water for fossil fuel extraction; and

(2) actively supporting fossil fuel energy;

Whereas there is an overwhelming scientific consensus that—

(1) human-caused climate change is occurring; and

(2) the rate of global heating and ocean acidification as of September 2020 is a result of the buildup of atmospheric greenhouse gas emissions, primarily carbon dioxide emissions, largely from the combustion of fossil fuels;

Whereas atmospheric carbon dioxide levels of over 400 parts per million as of September 2020 have caused a dangerous planetary energy imbalance, equivalent to the quantity of energy of exploding more than 400,000 atomic bombs of the kind dropped on Hiroshima, Japan, per day, 365 days per year, across the planet;

Whereas the latest climate science and real-world observations of that energy imbalance demonstrate that the approximately 1 degree Celsius of warming that has already occurred as a result of human-caused climate change is already dangerous and negatively affecting all aspects of society and the economy of the United States;

Whereas the last time that atmospheric concentrations of carbon dioxide were over 400 parts per million—

(1) the seas were 70 to 90 feet higher;

(2) Greenland had no ice; and

(3) coral reefs suffered a major extinction;

Whereas similar conditions will result if the United States does not drastically reduce carbon dioxide emissions and naturally sequester excess concentrations of atmospheric carbon dioxide during the 21st century;

Whereas climate change is a threat to national security, as climate change contributes to and exacerbates global instability and conflict;

Whereas the generation of today's children was born into a climate system made hazardous to their health and well-being because of human-caused climate change;

Whereas children are uniquely vulnerable to human-caused climate change because of their developing bodies, higher exposure to air, food, and water per unit of body weight, unique behavior patterns, dependence on caregivers, and longevity on the planet;

Whereas human-caused climate change is a public health emergency that is adversely impacting the physical and mental health of children through—

(1) extreme weather events;

(2) rising temperatures and increased heat exposure;

(3) decreased air quality;

(4) altered infectious disease patterns;

(5) food and water insecurity; and

(6) other effects;

Whereas infant mortality increases 25 percent on extremely hot days, with the first 7 days of life representing a period of critical vulnerability;

Whereas heat illness is a leading cause of death and illness in high school athletes, with nearly 10,000 episodes of heat illness occurring annually;

Whereas 8.4 percent of children suffer from allergic rhinitis, and the ragweed pollen season in North America has grown 13 to 27 days longer since 1995 due to higher temperatures and greater atmospheric carbon dioxide levels;

Whereas children exposed to wildfires suffer substantial—

(1) eye symptoms; and

(2) upper and lower respiratory symptoms that lead to increased rates of asthma-related hospitalizations and emergency room visits;

Whereas extreme weather events can negatively impact the mental health of children due to—

(1) family loss or separation;

(2) school interruption;

(3) scarcities of food, water, and shelter; and

(4) public service outages;

Whereas, without immediate steps to address human-caused climate change, the health effects of climate change on children will—

(1) increase in severity and in terms of the number of children impacted; and

(2) cost the United States billions of dollars per year by the end of the 21st century;

Whereas children will largely shoulder the costs of human-caused climate change;

Whereas further increases in global temperature will saddle children with an enormous, perhaps incalculable, cost burden, undermining their economic security and the economic security of the United States;

Whereas children are deserving of special consideration and protection with respect to human-caused climate change;

Whereas children on the frontlines of human-caused climate change across the United States and globally have risen up and called upon government leaders around the world to take concrete, science-based, and equitable action—

(1) to address human-caused climate change; and

(2) to ensure climate justice for their generation, future generations, and frontline and vulnerable communities, including communities of color, low-income communities, and indigenous peoples;

Whereas global atmospheric carbon dioxide concentrations must be reduced to below 350 parts per million by the end of the 21st century, with further reductions thereafter, to restore the energy balance of the planet, stabilize the climate system, and protect the ice sheets and oceans for posterity;

Whereas existing and future adverse public health and other impacts and costs to children and the United States can be significantly mitigated if the United States acts promptly to reduce emissions from fossil fuels in the United States;

Whereas numerous experts have concluded that there are multiple technically and economically feasible pathways to place all sectors of the economy of the United States on an emissions-reduction path consistent with returning global atmospheric carbon dioxide to 350 parts per million by 2100;

Whereas producing energy in the United States with noncarbon-emitting sources will result in energy costs within the range of recent experience, ultimately saving consumers money and stabilizing the cost of energy, while increasing the number of jobs in the energy sector; and

Whereas multiple Federal departments and agencies can exercise authority delegated by Congress to prevent and respond to climate change, including—

(1) the Department of Energy;

(2) the Department of the Interior;

(3) the Department of Agriculture;

(4) the Environmental Protection Agency;

(5) the Department of Commerce; and

(6) the Department of State: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) renewed leadership by the United States is needed immediately to address the human-caused climate crisis that is disproportionately affecting the health, economic opportunity, and fundamental rights of the children of the United States; and

(2) there is a human-caused climate crisis that—

(A) has inspired children across the United States to organize and demand immediate government action to protect their fundamental rights from the perils of climate change; and

(B) demands a national, comprehensive, science-based, and just climate recovery plan that—

(i) is prepared by Federal departments and agencies pursuant to delegated authority over energy and climate policy; and

(ii) to uphold the fundamental rights of children, puts the United States on a trajectory consistent with reducing global atmospheric carbon dioxide to below 350 parts per million by 2100.

AUTHORITY FOR COMMITTEES TO MEET

Mr. ERNST. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing on the nomination of Chad F. Wolf to be Secretary of U.S. Department of Homeland Security.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at time to be determined, to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 2 p.m., to conduct a closed roundtable.

MEASURE READ THE FIRST TIME—S. 4675

Mr. MCCONNELL. Madam President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 4675) to amend the Health Insurance Portability and Accountability Act.

Mr. MCCONNELL. Madam President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

EXECUTIVE SESSION

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate resume executive session.

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

ORDERS FOR THURSDAY, SEPTEMBER 24, 2020

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, September 24; further, that following the prayer and pledge, the Senate resume the Young nomination.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senator BENNET.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 6:38 p.m., recessed subject to the call of the Chair and reassembled at 6:42 p.m. when called to order by the Presiding Officer (Mrs. BLACKBURN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Colorado.

SUPREME COURT NOMINATIONS

Mr. BENNET. Madam President, I want to say how much I appreciate your staying late this evening for this.

Last night, I had the chance to speak about the late Justice Ruth Bader Ginsburg, somebody who, as much as anyone in our history, advanced the cause of equality between men and women. When President Clinton named

her to the Supreme Court, she had already transformed American law through her trailblazing work as a professor and litigator. It is why her nomination sailed through this body with 96 votes—a reminder of a time not so very long ago when the Senate understood its constitutional duty to advise and consent, when a qualified judge would get the vast majority of Senators to vote for that person. Every single time we did that, we reestablished the idea that the judiciary is independent—independent from what hopefully are temporary, insane partisan battles.

After earning that 96 votes, for more than a quarter century on the Court, Justice Ginsburg authored rulings that promoted fairness, advanced equality, and secured hard-won rights. They upheld affirmative action and protected a woman's right to choose. At the same time, she could never accept a decision that nullified our right to vote or otherwise limited our democratic values, even when it was hard for some of her colleagues on the highest Court in the land to perceive the systemic racism in our country.

As I said last night, because the young Joan Ruth Bader knew America would be worse off without her, without her talent, Justice Ginsburg fought hard to make America more democratic, more fair, and more free. Unfortunately, the same cannot be said of the majority leader of this body who now seeks to ram a replacement through the Senate. As a Senator and as a majority leader, he dedicated his career to undo the work of Justice Ginsburg and those who have fought beside her for a better America.

Pick almost any issue—from the degradation of our courts and our democracy to the sorry state of our government's fiscal condition—and for decades, you will find the majority leader's fingerprints all over the crime scene.

Let's start with the courts; that seems an appropriate place to start today. Justice Ginsburg cared deeply about what she called public respect for a confidence in the judiciary. No one in America has done more to destroy that confidence and respect than the Senator from Kentucky.

I first came to Washington as Colorado's Senator during President Obama's first term. The majority leader, who was then the minority leader, MITCH MCCONNELL from Kentucky, led the blockade against virtually all of President Obama's nominees. He filibustered the nominee for Secretary of Defense who was a Republican. In the history of the country, no nominee to be Secretary of Defense was filibustered. From George Washington to George W. Bush, Senators had used the filibuster against 68 Presidential nominees; from Washington to Bush, that entire period, there were 68 filibusters of Presidential nominees.

During President Obama's first 5 years, Republican Senators, led by MITCH MCCONNELL, used it against 79 nominees. In 5 years of a brand-new President, they used the filibuster more times than in our history going back to George Washington.

The obstruction was relentless. It finally led Senate Democrats to change the rules in 2013 with the so-called nuclear option, allowing us to confirm judicial nominees, except for the Supreme Court and other executive appointments, with 51 votes instead of 60 votes. I am sorry about that vote.

I have apologized on this floor before about that vote. It has led us partly to where we are today. After Republicans won a majority in this body, Senator MCCONNELL made his prior obstruction look like a game of beanbag. He wasn't in the minority anymore. Now, he was in the majority.

The next low point came on February 13, 2016. I will never forget it. I was speaking at the Jefferson-Jackson Day dinner in Colorado when I saw the crawl come on CNN announcing the death of Justice Scalia. It was a Presidential election year, and there were 342 days to go before the end of President Obama's second term—a term made possible by the American people deciding, once again, to hire, to give him the power to appoint people to the Supreme Court. Let the people decide.

One hour after Chief Justice Roberts confirmed Scalia's death, Senator MCCONNELL declared the American people should have a voice in the selection of their next Supreme Court Justice; therefore, this vacancy should not be filled until we have a new President. That is not what the Constitution says. When there is a vacancy, the President shall nominate, and the Senate shall advise and consent. Today, we have a Senate with this majority that is not even interested in advising. As we stand here tonight, they have given their consent without even knowing who the nominee is going to be.

Hoping cooler heads would prevail, President Obama nominated Merrick Garland, someone a Republican Senate had previously confirmed with 76 votes and whom the former Republican Senator from Utah, my friend Orrin Hatch, once called ''a consensus nominee for the Supreme Court.''

I have known Merrick Garland for a quarter of a century. I worked for him fresh out of law school when both of us served in the Deputy Attorney General's office at the Department of Justice. I have never heard another lawyer or anyone, for that matter, refer to Garland without the highest admiration. He set the standard for excellence. He was a lawyer's lawyer.

Senate Republicans, led by the majority leader, refused to even meet with Judge Garland, let alone give him the courtesy of a hearing so the American people could see what an outstanding person he was, how brilliant and fair-minded he was. The majority leader would go on to say about this disgraceful moment in our democracy's history that ''One of my proudest moments was when I looked Barack Obama in the eye and said, 'Mr. President, you will not fill this Supreme Court vacancy.' ''

We know what happened next. We are still living in ''next.'' For the rest of 2016, the majority leader held the seat open all year, 342 days with no hearings, no meetings, no vote. One of the Senators in this body went home—I was proud they went home and said:

> I am never going to vote for Merrick Garland, but I think it is wrong for us not to have a vote. We should have a vote. I should go home and explain why I voted the way I voted and have to defend my vote.

Two days later, a super PAC run by a former clerk of Justice Scalia started to threaten they would run a primary against him if he didn't change his mind, and he did. We know what happened.

Majority Leader MCCONNELL kept the seat open. He helped elect Donald Trump who ran for office waving around a list of judges that he would appoint to the court and made Donald Trump, of all people, the first President in American history with the power to fill every judicial vacancy with a simple majority vote because Senator MCCONNELL later used the nuclear option to change the rules again without really having any debate here. As a result, he has used that power to confirm 217 judges. Nearly a quarter of the Federal bench are now Trump appointees.

In 2017, Senator MCCONNELL detonated his own nuclear option to lower the required votes for Supreme Court Justices from 60 to 51, as he warned—in fairness to him—as he warned he would do. He installed Neil Gorsuch in what should have been Garland's seat. In 2018, he jammed through the nomination of Judge Kavanaugh under his new regime, delivering the confirmation by a margin of two votes, the narrowest margin for a Supreme Court nominee since 1881.

Throughout it all, he seated a roster of judges across the Federal bench who otherwise could not make the ''B'' team. The Senate confirmed a judge who opposed the State proclamation honoring an association of professional women because it had dared to talk about glass ceilings and pay equity. The Senate confirmed a lawyer who wrote blog posts peddling conspiracies about Barack Obama and comparing abortion to slavery; an attorney who suggested judges can ignore judicial precedence they deem incorrect and who justified denying habeas corpus to enemy combatants with the brutal ancient dictum: In times of war, the laws are silent.

Then the Senate confirmed its first-ever nominee rated ''Not Qualified'' by the American Bar Association. It had never happened before in American history. But once was not enough. The Senate went on to approve six more Trump nominees rated ''Not Qualified'' by the ABA. You can't find qualified lawyers? You can't find a lawyer who can just—not even exceeds—just

meets? These people are unqualified. What qualifies them is many of them are in their thirties and are going to be on the courts for my lifetime.

I thought that was all rock bottom. Then last Friday, 1 hour after we learned of Justice Ginsburg's passing, the majority leader issued a press release saying: ''President Trump's nominee will receive a vote on the floor of the United States Senate.'' That is the opposite of what he sent out when Justice Scalia died.

When the majority leader blocked Judge Garland, when he said the American people should have a voice in the selection of their next Supreme Court Justice, there were 342 days left in President Obama's term—342. There are 119 days left in President Trump's term, and there are 41 days left before this election.

Here is what the history really is, not the masquerade that the majority leader has been engaging in with the American people: From the founding of this country until today, we have had nine Supreme Court vacancies arise in the first 6 months of a Presidential election year. Nine vacancies have arisen in the first 6 months of a Presidential election year. The Senate confirmed every single one of them, except Merrick Garland. The Senate has never confirmed a Supreme Court nominee this close to a Presidential election, never in the history of America.

Now, we have given our consent, apparently, before we even know who the nominee is. Because of Donald Trump's magical powers, we are willing to somehow take it on faith. But these traditions make no difference to the majority leader. Thanks to him, we now live in a world where confirming judges has become one more vicious partisan exercise, where confirmation votes will now break on party lines for the foreseeable future—and, perhaps, forever—and where every ruling a Justice makes is going to be viewed as that is what we would expect from an Obama judge, that is what we would expect from a Trump-appointed judge. It is the opposite of the way this worked when I was in law school.

The majority leader says: I am just putting it back to the days before we had a filibuster of circuit court judges because now there is no filibuster when it comes to Justices or judges. It is not accurate, and it is not right because, in those days, if you were qualified, you would get 96 votes like Ruth Bader Ginsburg got and like Justice Scalia got. I think he got 95 votes. Yet now we have exported the vicious partisanship out of this Chamber and into the highest Court of the land.

Senator MCCONNELL has not only damaged the integrity of our courts—something the late Justice Ginsburg cared deeply about—but he has also worked to sabotage her legacy of an America that is more democratic, more fair, and more free.

Over his 36 years in office, the majority leader has voted against nearly every piece of legislation that has promoted equality and advanced civil rights. Again and again, he has voted against banning discrimination based on someone's sexual orientation, prosecuting hate crimes, and improving equity in the workplace. He even voted against reauthorizing the Violence Against Women Act. More than anyone in America—and I say he is actually proud of this—he is responsible for exposing our democracy to a deluge of money, special interests, and foreign interference.

The majority leader has voted against every major campaign finance reform bill that has come to this floor. In fact, he led the fight against the bipartisan reform bill that was written by the late Senator John McCain, and when he failed to stop it in the Senate, Senator MCCONNELL went to the courts to have it overturned, paving the way years later for the disastrous ruling in Citizens United, which has allowed billionaires to flood our political system in the name of free speech when average working people are being drowned out.

He voted against the bipartisan National Voter Registration Act, which allowed people to register to vote when they got their driver's licenses.

Ahead of the 2016 elections, he refused to join President Obama and issue a bipartisan statement to alert the American people to the threat of Russian interference in our elections. He refused to do it, and the American people didn't know until after the election was over that Vladimir Putin was putting his thumb on the scale. To this day, he refuses to let us vote on bipartisan bills to protect our elections from foreign interference or even bills to fully fund our elections so that people can vote safely in the middle of a pandemic.

There is only one person who gets to decide whether we vote on something around here, and he is the majority leader. I would like to see which Senators would vote against protecting our elections from Russian interference. I would like to see it, but we can't know because he won't allow it to come here for a vote. I would like to see who in this Chamber actually is against universal background checks, something we haven't been able to take a vote on because the majority leader won't allow a vote.

Come out and vote.

It has been over 570 days since the House passed the For the People Act, a bill that would ban gerrymandering, expand early voting, create automatic voter registration, and make election day a national holiday, among other reforms. The majority leader refuses to bring it to a vote. He called it a power grab. That is the Orwellian language that he uses. The only power grab that is, is a power grab by the American people to try to pry a little bit of power away from the majority leader from Kentucky on behalf of himself.

I am not sure any majority leader in our history has had this low of regard for our democracy and for our institutions than the Senator and, I would say, less regard for the American people as well, because every time he has taken a knife to our institutions, he is in front of the cameras, talking about what an institutionalist he is.

When he became majority leader, he said his first priority would be to ''restore the Senate to the place our Founders, in their wisdom, had intended, not the hollow shell''——

The PRESIDING OFFICER. The Senator will suspend.

Rule XIX, paragraph 2, provides that no Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

The Senator may proceed.

Mr. BENNET. Madam President, I was interrupted, but let me go back.

When he became majority leader, he said the first priority would be to ''restore the Senate to the place the Founders, in their wisdom, had intended, not the hollow shell of the institution [Harry Reid had created].''

Harry Reid was his predecessor. I think I remember him being on the floor, calling Harry Reid the worst majority leader that had ever existed in history. I don't think he was sanctioned for that.

He promised ''to open up the legislative process in a way that allows more amendments from both sides.''

Last year, we voted on 26 amendments. In the entire year last year, we voted on 26 amendments. Only eight of those amendments passed, and I think Senator PAUL, of Kentucky, had four of those amendments.

> Sometimes it's going to mean [actually] working more often. Sometimes it's going to mean working late, but restoring the Senate is the right thing to do.

We are not working late around here. He said we were going to work on Fridays. Half the time, when Harry Reid was the majority leader, I couldn't go home until Friday. Since the majority leader has been here, I have been home for dinner every Thursday night.

He said we need to recommit to what he called a rational, functioning appropriations process. This year, we haven't passed a single appropriations bill in the Senate. Last year, we had the longest government shutdown in American history.

''We need to return to regular order,'' he said. This is from the majority leader who put a bill on the floor to strip healthcare from 16 million Americans, a bill we didn't even see until a few hours before the vote. There are so many of these things that we don't even remember them anymore. He claims to be an institutionalist, but he has brought this institution to the lowest it has been.

It is no different than his claim to being a fiscal conservative. I have heard him say over and over again that our debt and deficits are the single biggest threat to America's future. He

called it ''the transcendent issue of our era.''

He said, ''Until we fix that problem [the deficit], we can't fix America.''

He said Americans are ''tired of the spending, debt and government takeovers'' and complained that our debt ''makes us look a lot like Greece.''

He claims to be a fiscal hawk—he has done it his entire career—but the truth is there is not an American, living or dead, who has put more debt on the balance sheet of this country than MITCH MCCONNELL—$17 trillion—and that is just over the last 20 years. And for what—to invest in education? to build our roads and bridges? to do something about mental health in the country or water infrastructure? For what? It has been to cut taxes for the richest people in the country and to borrow it all from China, which is the opposite of what he said he was doing, the opposite of what he promised.

He said the tax cuts would pay for themselves. They never have. He said they would benefit the middle class, but two-thirds have gone to the top 20 percent at a time when we have had the worst income inequality that we have had since 1928, when we have had an economy that, for 50 years, 90 percent of the American people haven't seen a pay raise. That means, in the first 25 years of this century, we are on track to spend $6.8 trillion on tax cuts for the richest 20 percent of Americans.

It is exactly the same thing as if a mayor in any one of our communities in our States had said to their neighbors and to their city councils and to the press: I am going to borrow more money than we have ever borrowed before.

You would say: Well, that worries me a little bit. What are you going to spend the money on? Are you going to spend it on our roads?

No.

Are you going to spend it on our bridges?

No.

On our water system?

No.

On mental health? On COVID? On our public health infrastructure?

I am going to take that money that I am borrowing from the Chinese, and I am going to give it to the two richest neighborhoods in town.

That is the majority leader's tax policy, and that is what it has been since 2001.

This speech isn't about spending, but while I have the microphone, here is what we could have done for $6.8 trillion: We could have created universal preschool for every child in America. These are not either/or by the way. That is how big a number $6.8 trillion is. We could have invested in the 70 percent of Americans who don't graduate from college so that they can earn a living wage when they graduate from high school, not the minimum wage. We could have made public college affordable for every middle-class American, given every teacher in America a 50-percent pay raise and paid them like the professionals that they are.

We could have cut child poverty by 40 percent in this country. We could have protected Social Security so that we would know it would be there for our children and our grandchildren. We could have rebuilt America's roads, bridges, tunnels, and airports. We could have laid high-speed broadband in every community, lowered the cost of prescription drugs, covered everyone with high-quality healthcare by creating a public option. We could have passed paid family and medical leave, invested in science and public health so that we could have been more prepared for the global pandemic. We might have even paid down some of our debt and actually acted fiscally responsible.

In other words, we could have changed the destiny of America. We could have added to Justice Ginsburg's legacy by making this country more democratic, more fair, and more free. We still can, but we can't do it as long as the majority leader is continuing to pursue these policies.

We have to choose leaders in the Senate who will build this country better than we found it, not leave it in tatters for our children and grandchildren to pick through the rubble.

Instead of making the Senate work on behalf of the American people, the Senator from Kentucky has run roughshod over this institution, doing whatever he can get away with politically. We are at a point at which what you can get away with here is the only rule that is left.

As I said last night in this Senate, words have lost their meaning, and when words lose their meaning and when promises mean nothing and when commitments mean nothing, that is when institutions fail. It is moments like this that I remind my colleagues that this is not the first Republic to risk failure because of all of this—the Senate, the Supreme Court, the centuries of rules, written and unwritten, that have guided this Republic.

We are not preserving them for us. We are preserving them for the American people because, without our institutions, we can't do what we need to do in this democracy, whether it is regarding climate change or healthcare or education or any issue that the American people care about, no matter what side of the political aisle they are on.

Justice Ginsburg appreciated this. She described her philosophy this way:

> I think I am an originalist in the sense of what these great men meant—a Constitution that would govern through the ages. At least, they hoped it would provide an instrument of government that would endure.

That is what is at stake in this election—whether we will accept this sorry chapter in our history as the new normal or insist on a government that can actually govern and is focused on the needs and desires of the American people.

I hope deeply that we are going to put this era behind us, and I am not for going back to some old era but to build a democracy that is worthy of the 21st century, worthy of the example Ruth Bader Ginsburg set, worthy of the expectations that our kids and grandkids reasonably have of us and that most of us have for America in this world.

That is the choice in this election, and to borrow a phrase from the majority leader, the ''American people should have a voice'' in the outcome. It is my hope that in 41 days they will.

Madam President, I thank you for your patience and thank the staff for their patience.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:16 p.m., adjourned until Thursday, September 24, 2020, at 10 a.m.

NOMINATIONS

Executive nomination received by the Senate:

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

ALLEN ROBERT SOUZA, OF NORTH CAROLINA, TO BE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE MICHAEL K. ATKINSON.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 23, 2020:

THE JUDICIARY

JOHN CHARLES HINDERAKER, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JOCELYN SAMUELS, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2021.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF JOSEPH H. SOCCIO

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. KATKO. Madam Speaker, I rise today to honor the life of Mr. Joseph Soccio, who passed away on September 19, 2020 at the age of 97. A U.S. Army Air Force and Air Force veteran, loving husband, father, and grandfather, Mr. Soccio will be dearly missed.

In 1941 Mr. Soccio graduated from West Senior High School, as part of the first graduating class. Shortly after, he entered the U.S. Army Air Force, proudly serving his country during World War II. During the War, he served as Crew Chief on a B–24 Liberator Bomber, and attained the rank of Sergeant. After World War II, he went on to re-enlist in the U.S. Air Force, serving his nation again in the Korean War.

Following his military service, Mr. Soccio returned to Central New York to work for Alco Products. He spent 30 years with the company, and led its Mechanical Laboratories Division.

Outside of his work, Mr. Soccio was a man of faith, and a longtime member of St. Alphonsus Church in Auburn. He enjoyed gardening, coaching youth baseball, and was an avid hunter. Most of all, he loved his family deeply. He is survived by his three children, four grandchildren, and two great-grandchildren.

Madam Speaker, I ask my colleagues in the House to join me in honoring the life of Mr. Joseph Soccio. A cherished member of our Central New York community, Mr. Soccio will be deeply missed. I ask my colleagues to keep him and his family in mind as we celebrate his life.

IN HONOR OF THE MEMORY OF JOSEPH PETERSON

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mrs. DINGELL. Madam Speaker, I rise today to recognize and honor the esteemed life of a dear friend, Joe Peterson. He will forever be remembered for his tremendous impact on our Wyandotte community, and he will be deeply missed.

Mayor Peterson was a pillar of Wyandotte. Before beginning his career in public service, Peterson was a long-time police officer in the Wyandotte Police Department. Throughout his twenty-seven years with the police force, Peterson held several different positions including undercover officer, detective sergeant, and probation officer. In 2005, Peterson was elected to serve on the Wyandotte City Council and was elected mayor in 2009. Throughout all capacities, Peterson endeavored to make Wyandotte a better place for all.

Mayor Peterson was a dedicated, compassionate, and effective leader who humbly strove for excellence without seeking praise or recognition for any of his significant accomplishments. As a veteran who served in the U.S. Army during the Vietnam War, Peterson knew deeply what it meant to be a committed and loyal fighter. He never stopped caring for others, especially his fellow veterans, and faithfully served his beloved Wyandotte.

Mayor Peterson leaves behind a legacy that will forever endure. He was a true representation of a passionate public servant who was unwavering in his commitment to make Wyandotte a better place. He strove to foster a deep sense of community, and was a steadying voice of reason in troubling or challenging times. He encouraged us to see the best in one another and work together for the common good. Undoubtably, Peterson has left a meaningful impact on the city, and the love he had for Wyandotte will always be remembered. His passing represents a loss to our entire community, but his memory will endure through the countless lives he touched.

Madam Speaker, I ask my colleagues to join me in honoring the life and legacy of Joe Peterson. He was a cornerstone of Wyandotte, and we will forever remember his remarkable life, work, and community impact. May he rest in eternal peace.

PERSONAL EXPLANATION

HON. BOB GIBBS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. GIBBS. Madam Speaker, I was unable to attend votes on Tuesday, September 22, 2020 due to a previously scheduled doctor's appointment in my home state of Ohio. Had I been present, I would have voted YEA on Roll Call No. 196 and YEA on Roll Call No. 197.

REMEMBRANCE OF MR. VINCENT GIEDRAITIS

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. COURTNEY. Madam Speaker, I rise today to share a remembrance of Mr. Vincent Giedraitis, a member of the "Greatest Generation" from Vernon, Connecticut who passed away at the age of 95 on August 10, 2020. Vin, as he was known to friends and colleagues led an extraordinary life, setting an example of how to really succeed by balancing family, professional success as an attorney, and service to his country at sea in the U.S. Navy.

Vin balanced a long life full of many interests and hobbies with his work, with his valued friendships and his vibrant family life. He was an avid skier and fisherman. He enjoyed tennis, ballroom dancing, boating, golf and making a yearly batch of wild grape jelly. He played, studied and worked with determination and great satisfaction. He graduated from New Britain High School and then served in the Navy as a radar engineer on the U.S. John Bole destroyer in WWII. In the time after the war, he attended Central Connecticut State College and graduated from McGill University with a degree in Philosophy. While at McGill he met the love of his life, Joyce, and they were married for over 70 years. After settling in Connecticut and while raising their family, he went on to earn his Law Degree at the UConn School of Law. He went on to work for IBM, Aetna Insurance, Fuller Brush and then established his own private law practice in Hartford. He became a Public Defender for the City of Hartford and then for the town of Vernon-Rockville.

Madam Speaker, I had a chance to see Vin's work in the Public Defender's Office up close over the years. As a law school intern who worked in the Hartford Superior Court, I helped interview clients and witnesses and assisted him during court hearings and trials. After passing the bar I continued to work with Vin as a public defender myself and in private practice. As most people know, public defenders have to grapple with high caseloads, sometimes difficult clients and limited resources to fully investigate cases. Sometimes public defenders succumb to viewing their role as moving cases along, and not pursuing the fullest defense possible. Not Vin. He took his oath and the constitutional duty under the Sixth Amendment to provide effective assistance of counsel to the fullest degree possible. I saw him press judges and prosecutors harder than they were normally accustomed in his pursuit of fairness and equal justice. It gave me a true insight into his strong character, which I admired deeply. As friendly and affable a person as he was, he had a spine of steel that was always centered on ethics and compassion.

Madam Speaker, Vin was devoted to his amazing, impressive wife Joyce, their eight children and many grandchildren who all loved him dearly and mourn his passing. Madam Speaker, I would ask the members to join me in honoring the wonderful life and legacy of Vincent Giedraitis.

HONORING THE MEMORY OF NORMA J. LEWIS

HON. RASHIDA TLAIB

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Ms. TLAIB. Madam Speaker, I rise today to honor the memory of the late former-Highland Park City Council Member Norma J. Lewis, who passed away in September, 2020.

Above all, Norma Lewis was a public servant and an advocate for the people of Highland Park, Michigan. A resident of Highland

Park for more than fifty years, Ms. Lewis strived to make Highland Park a world-class city. First elected to the City Council in 2003, Norma Lewis served five consecutive terms. She was the longest-seated woman to serve in the history of Highland Park. Her service included terms as City Council President Pro-Tem in 2007 and City Council President in 2009.

Norma Lewis' public service to Highland Park is marked by her dedication to improving access to services for senior citizens and access to clean water for all. She actively worked to improve city infrastructure for improved water service. In addition, Ms. Lewis led several projects to provide holiday meals to Highland Park's most vulnerable residents. Ms. Lewis spearheaded the revitalization of the city's Mark E. Storen Memorial Park, allowing for greater enjoyment of the public space.

Norma Lewis' work has been recognized by dozens of organizations. Please join me in recognizing the outstanding contributions of Norma J. Lewis, wife, mother, and public servant, as we honor her memory.

IN RECOGNITION OF WILLIAM SLEIGHT FOR A DISTINGUISHED CAREER WITH MICHIGAN WORKS! SOUTHEAST

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mrs. DINGELL. Madam Speaker, I rise today to offer my heartfelt congratulations to William Sleight as he celebrates his retirement and recognize his years of distinguished service with Michigan Works! Southeast. His contributions to Michigan are worthy of commendation.

William Sleight's career in workforce development spans nearly 40 years. After earning a master's degree in Public Administration from Michigan State University, Sleight served in various roles for the workforce programs in Livingston and Washtenaw Counties before starting his career with the Michigan Works! Association. He served as Director of Livingston County Michigan Works! for 25 years, and later was appointed Director of Michigan Works! Southeast in May 2016.

Sleight has also served on numerous state, local and regional boards and committees throughout Michigan. He is the founding co-chair of the Workforce Intelligence Network for Southeast Michigan and the current chair of the Southeast Michigan Works Agencies Council (SEMWAC) His dedication to Michigan has expanded jobs, facilitated economic growth, opened doors, and created a host of opportunities for thousands of people His years of devoted work have made a difference in the lives of Michiganders across the state, and his efforts in labor development will leave a lasting impact on the workforce in the years to come.

Without a doubt, William Sleight has devoted his career to serving Michigan and has worked tirelessly to ensure it remains a fruitful and prosperous place. Across all capacities, William Sleight has been recognized as a dedicated, compassionate, and humble leader who strives to make a meaningful difference. He has been the voice of reason in challenging times and has encouraged all to work together to better our state. His efforts have transformed Michigan, and his impact will forever be remembered.

Madam Speaker, I ask my colleagues to join me in celebrating the retirement of William Sleight. I am proud to honor his work, accomplishments, and significant community impact. We thank him for his outstanding service and wish him the best of luck in his future endeavors.

PERSONAL EXPLANATION

HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. THOMPSON of Pennsylvania. Madam Speaker, due to pre-scheduled travel with the President, I was absent from voting on September 22, 2020.

Had I been present, I would have voted YEA on Roll Call No. 196 and YEA on Roll Call No. 197.

IN REMEMBRANCE OF JACK EVERSOLE

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. GUTHRIE. Madam Speaker, I rise today in remembrance of T. Jack Eversole, founder of the Barren River Area Development District (BRADD) in my district. Jack passed away peacefully last month, and he will be sorely missed.

A World War II Marine Corps veteran who served in the South Pacific, Jack graduated from the University of Kentucky and Western Kentucky University and was passionate about serving his community. Before founding BRADD, Jack worked in journalism and communications in Glasgow and Bowling Green, was on the Bowling Green-Warren County Planning Commission, and served as a Warren County Magistrate. He established BRADD in 1968 and led the organization for 32 years, growing it from a three-person team with a $50,000 budget to a thriving agency with a budget of $7.6 million when he retired in 2000.

Jack was innovative, and he always wanted to help solve problems. He directed many projects that have been instrumental to the Commonwealth and to the region. His hard work continues to benefit Kentuckians, and I am grateful for all that he did during his time with BRADD and serving our country. I join the entire south-central Kentucky community in mourning the loss of Jack Eversole who was a faithful servant to our state and country. My prayers are with his family and friends as he is laid to rest in Arlington National Cemetery.

HONORING LITERACYCNY

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. KATKO. Madam Speaker, in celebration of National Adult Education and Family Literacy Week, I rise today to honor LiteracyCNY. In Central New York, LiteracyCNY is making a tremendous impact on our community by working to boost literacy rates for adult students who read, write, or speak English below the 6th grade level.

Founded by Ruth Colvin in 1962, for more than 70 years LiteracyCNY has helped thousands of adults in Onondaga County improve their literacy and English skills by offering free reading and writing instruction. However today, there's still more work to be done. According to the Programme for the International Assessment of Adult Competencies, there are approximately 60,000 adults in Onondaga County with limited literacy skills and English proficiency. Without these skills, individuals in our community are unable to fully participate as citizens, parents, or employees.

In recent years, LiteracyCNY has continued to make progress, enrolling more than 350 students on an annual basis, with approximately 80 percent of their students making measurable gains on standardized tests. Even amid the COVID–19 pandemic, LiteracyCNY has continued their important work. The organization adapted to changing circumstances and provided learners with instruction via teleconferencing.

In addition to its work on reading and writing, LiteracyCNY provides students with lessons to help them thrive in their daily lives. The organization offers information and referrals to human and emergency services, and makes individuals aware of local job opportunities. LiteracyCNY also works to raise awareness about the issue of adult literacy and volunteers advocate to policymakers on behalf of their students in Central New York.

Madam Speaker, as we celebrate National Adult Education and Family Literacy Week, I ask that my colleagues in the House join me in honoring the contributions of LiteracyCNY. Through its work to boost literacy rates, this organization is helping adults in Central New York achieve career success, teach their children, and reach their full potential.

RECOGNIZING TIM HAY FOR HIS YEARS OF SERVICE AS THE FLORIDA SENATE SERGEANT AT ARMS

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. DIAZ-BALART. Madam Speaker, I rise today to commemorate Mr. Tim Hay, who will shortly be leaving his role as Sergeant at Arms of the Florida Senate. Tim's commitment to protecting and serving the Florida Senate is of the highest caliber and I am thankful for his years of dedication to my home state.

A lifelong Floridian, Tim received his bachelor's degree in criminology from Florida State University, and, in 2012, began his career with

the Florida Senate as Assistant Sergeant at Arms. He held this position until 2014, where he was appointed to Sergeant at Arms. In this role, Tim has been responsible for managing twenty-five full time employees and overseeing the security and maintenance of the Florida Senate buildings, including the Senate Chamber. For close to six years, Tim has done a commendable job ensuring the safety of all who work in or visit the Florida Senate and I am thankful for his dedicated service.

Having had the privilege of knowing Tim for many years, I can firsthand attest to his professionalism and dedication to serving the State of Florida. His respectful demeanor is apparent to all who have worked with him and I know that he has represented the Florida Senate well. While I recognize that Tim's colleagues will greatly miss his leadership and expertise, I have no doubt that he will excel in his future position at the Florida Department of Education.

Madam Speaker, I am honored to pay tribute to Mr. Tim Hay, and I ask my fellow colleagues to join me in recognizing this outstanding individual.

SAFEGUARDING THERAPEUTICS ACT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 2020

Ms ESHOO. Madam Speaker, I rise in support of H.R. 5663, the Safeguarding Therapeutics Act. I'm proud to have advanced this bipartisan bill through my Health Subcommittee and I'm pleased to support it on the Floor.

The Safeguarding Therapeutics Act was introduced by Representatives BRETT GUTHRIE and ELIOT ENGEL.

Today, the FDA has the authority to destroy confiscated counterfeit or adulterated drugs. This bill extends that authority to medical devices.

Illicit trade and counterfeit products present growing risks to patients and consumers. We have the opportunity to ensure that FDA has the authority needed to destroy counterfeit drugs, devices and combination products.

This bill closes a gap and protects patients from the growing threat of counterfeit products, and I urge my colleagues to support this legislation.

IN CELEBRATION OF EDYTHE McTAGGART'S 100TH BIRTHDAY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mrs. DINGELL. Madam Speaker, I rise today to offer my heartfelt congratulations to Edythe McTaggart as she celebrates her 100th birthday. This significant milestone is worthy of commendation.

Edythe McTaggart was born August 21, 1920 to Edmond Parent and Edith Tice, and grew up in Trenton, Michigan. Throughout her childhood, Edythe enjoyed performing with her sister Dottie, and even sang on a children's radio show in Detroit at the age of nine. During the Great Depression, Edythe stayed home to care for her father who lost his job. To get through the troubling era, she would collect discarded skim milk from a local creamery and help her father knock coal off freight trains to heat their house. At the age of 17, Edythe became a nanny where she earned one dollar a day plus room and board. Despite the meager wages, the impact of the Great Depression taught Edythe how to be frugal in her spending and allowed her to save enough earnings to buy a wedding dress when she got married.

In 1940, Edythe married her husband, Robert McTaggart. The two built a home together in Wyandotte and completed much of the work themselves. Although it was difficult finding materials during the war, they were able to move into the new home in 1948. Throughout the war, the two also started a family and welcomed sons Robert Jr., Thomas, and David by 1952. After raising her children, Edythe returned to school and earned her bachelor's degree in education at the age of 50. She became a teacher in the Taylor School District, and later earned a master's degree in special education. Until her retirement 35 years ago, she dedicated her teaching career to helping children with special needs and disabilities.

Beyond the classroom, Edythe is fond of traveling and has explored the world with Robert. Together, they visited Europe, Asia, Latin America, and the Caribbean. Upon her retirement, Edythe and Robert began spending winters in Florida, until Robert's passing in 1998. Today, Edythe remains active in the community and enjoys reading, crocheting, and spending time with her sons, three grandchildren, and one great-grandchild. Her attitude and spirit continue to shine bright for all to see. Throughout her 100 years, Edythe has demonstrated a true commitment to her family and her community. Her strength and perseverance through turbulent times has provided a lasting example of what can be accomplished when we all work together and treat one another with compassion, respect, and dignity.

Madam Speaker, I ask my colleagues to join me in celebrating Edythe McTaggart on her 100th birthday. I join with Edythe's friends and family in extending my best and warmest wishes to her on this special day. May her 100th year bring her many blessings and a continued life full of laughter, peace, and every happiness.

PERSONAL EXPLANATION

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. DEFAZIO. Madam Speaker, during the week of September 14, 2020, I was unable to vote due to the devastating and deadly wildfires burning throughout my District. I am working with the White House, the Federal Emergency Management Agency, U.S. Forest Service, U.S. Army Corps, U.S. Department of Transportation, and Governor Brown to help my constituents get the assistance they need.

Had I been present for votes, I would have voted:

On Roll Call Vote Number 183, On Motion to Suspend the Rules and Pass S. 4894, as amended, I would have voted Aye.

On Roll Call Vote Number 184, On Motion to Suspend the Rules and Pass H.R. 2193, I would have voted Aye.

On Roll Call Vote Number 185, On Ordering the Previous Question to H. Res. 1107, I would have voted Aye.

On Roll Call Vote Number 186, On Agreeing to the Resolution H. Res. 1107, I would have voted Aye.

On Roll Call Vote Number 187, On Agreeing to the Allen Amendment to H.R. 2639, I would have voted Nay.

On Roll Call Vote Number 188, On Agreeing to the Moulton Amendment to H.R. 2639, I would have voted Aye.

On Roll Call Vote Number 189, On Passage of H.R. 2639, I would have voted Aye.

On Roll Call Vote Number 190, On Motion to Suspend the Rules and Pass, as Amended H.R. 7909, I would have voted Aye.

On Roll Call Vote Number 191, On Motion to Recommit with Instructions H.R. 2574. I would have voted Aye.

On Roll Call Vote Number 192, On Passage of H.R. 2574, I would have voted Aye.

On Roll Call Vote Number 193, On Agreeing to Resolution H. Res. 908, I would have voted Aye.

On Roll Call Vote Number 194, On Motion to Recommit with Instructions on H.R. 2694, I would have voted Nay.

On Roll Call Vote Number 195, On Passage of H.R. 2694, I would have voted Aye.

PERSONAL EXPLANATION

HON. GUY RESCHENTHALER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. RESCHENTHALER. Madam Speaker, had I been present, I would have voted YEA on Roll Call No. 196; YEA on Roll Call No. 197; and YEA on Roll Call No. 198.

PERSONAL EXPLANATION

HON. PETE STAUBER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. STAUBER. Madam Speaker, I was unable to vote on September 22, 2020 due to a personal matter.

Had I been present, I would have voted YEA on Roll Call No. 196; YEA on Roll Call No. 197; and YEA on Roll Call No. 198.

HONORING JOHN REINHART FOR HIS RETIREMENT FROM THE PORT OF VIRGINIA

HON. ELAINE G. LURIA

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mrs. LURIA. Madam Speaker, I rise today to honor and recognize John Reinhart upon his retirement from the Port of Virginia.

For nearly seven years, John has led the Port of Virginia as the Chief Executive Officer and Executive Director. John assembled and cultivated a skilled and highly knowledgeable team, then provided impressive leadership and vision, to transform the Port of Virginia into a twenty-first century facility.

With a mantra of ''Wider, Deeper & Safer,'' John steered the approval, funding and commencement of dredging the Norfolk Harbor and Channels to fifty-five feet depth. This will allow Hampton Roads to accommodate fully loaded Ultra-Large Container Vessels now and in the future. As Hampton Roads is also home to the world's largest naval base with six aircraft carriers, this widening will also enable safe, two-way traffic to prevent delays to commercial and military vessels.

Under John's supervision, the Port of Virginia constructed the new Virginia International Gateway. Hosting the largest ship-to-shore cranes in the Western Hemisphere, this state-of-the-art facility has some of the best cargo flow rates and vehicle turn-times in the nation.

While expanding the Port's capacity, John also successfully reduced emissions by transitioning away from diesel-driven container movement to an electric, safer and more space-conscious method of container handling and stacking. These electric gantry cranes dramatically reduce emissions, fuel consumption and noise.

With a vision for the future, John has planned and begun building the first infrastructure dedicated to our region's nascent offshore wind industry. Recognizing the Port of Virginia's natural benefits with a deep channel and no overhead obstructions, he has helped posture Hampton Roads to become a nucleus for our nation's growing carbon-free power generation industry.

The improvements John has made at the Port have benefited not only all Virginians but most Americans. The Port of Virginia's reach covers all commerce east of the Mississippi River and even extends to Kansas City, MO. Through the partnerships John helped build, the Port of Virginia achieved record-setting cargo volume for six consecutive years. The COVID–19 pandemic has proven American businesses and workers need efficient and reliable supply chains, and the Port has proven vital to this endeavor.

John's dedication to strengthening and improving Virginia's infrastructure and economy is truly inspiring. I am proud to honor and recognize his leadership and the role he plays in making our community a better place. Hampton Roads has significantly benefited from his efforts.

HONORING THE CAREER OF GRANT JAQUITH

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. KATKO. Madam Speaker, I rise today to honor the career of my good friend and former colleague, Grant Jaquith, who upon his appointment as a Judge on the United States Court of Appeals for Veterans Claims, has resigned from the Department of Justice after serving 31 years. I was proud to serve alongside Mr. Jaquith while working for the U.S. Attorney's Office for the Northern District of New York and have always known him to be a dedicated public servant, staunch defender of the law, a stalwart advocate for victims and their families, and a genuinely good person.

After graduating with a Juris Doctor from University of Florida College of Law in 1982, Mr. Jaquith began his career as a Judge Advocate on active duty in the U.S. Army. He then went on to join the Department of Justice, where he served as a line prosecutor, supervisor, and eventually, as the 49th U.S. Attorney for the Northern District of New York.

Over the course of his career, Mr. Jaquith prosecuted many high-profile cases that strengthened national security and helped combat violent crime, organized crime, the opioid crisis, and financial fraud. I had the privilege of working with Mr. Jaquith on a number of these cases and saw first-hand how his dogged determination and keen intellect spelled trouble for criminals. The impact he had on my career was profound and his guidance made me a better prosecutor and person. For his work, Mr. Jaquith earned a number of awards, including the Executive Office for U.S. Attorneys Director's Award for Executive Achievement.

As a supervisor, Mr. Jaquith developed scores of young prosecutors, always stressing thoroughness, hard work, determination and above all ethical conduct. Through his efforts, the U.S. Attorney's office for the Northern District of New York became known as one of the premier offices in the country. As U.S. Attorney, Mr. Jaquith continued to take a leadership role in the many successes of the office. He also took a national leadership role by serving on several subcommittees of the Attorney General's Advisory Committee, including Border and Immigration, Native American Issues, and Servicemembers and Veterans Rights. He also served on the Attorney General's Advisory Committee's Healthcare Fraud Working Group. Outside of work, Mr. Jaquith is a dedicated husband to his wife Rosemarie. Together, they have six children, and five grandchildren.

Madam Speaker, I ask that my colleagues in the House join me in recognizing the highly distinguished career of Grant Jaquith. A dedicated public servant, I wish Grant the best as he enters the next phase of his career as a Judge on the U.S. Court of Appeals for Veterans Claims.

PROTECTING PATIENTS TRANSPORTATION TO CARE ACT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 2020

Ms. ESHOO. Madam Speaker, I rise in support of H.R. 3935, the Protecting Patients Transportation to Care Act. I'm proud to have advanced this bipartisan bill out of my Health Subcommittee and I'm pleased to support it on the Floor.

The Protecting Patients Transportation to Care Act introduced by Representatives BUDDY CARTER and TONY CÁRDENAS requires states to offer a non-emergency medical transportation benefit. Our Committee also heard from Representative SANFORD BISHOP about this legislation during our Members' Day panel.

Medicaid's coverage of transportation to health services is a lifeline for patients, especially those who live in rural or underserved areas.

Over half of Medicaid transportation services are used by patients with the highest burden of chronic diseases, including those diagnosed with cancer, HIV, mental illness, substance abuse, and end-stage renal disease.

Without this help, patients cannot access the chemotherapy, dialysis, and other services that allow them to remain at home and out of the hospital.

Medicaid transportation has been a mandatory Medicaid benefit by regulation since the Medicaid program's inception in 1966. This bill codifies and protects the benefit.

I urge my colleagues to support this commonsense bill.

PERSONAL EXPLANATION

HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. THOMPSON of Pennsylvania. Madam Speaker, due to pre-scheduled travel with the President, I was absent from voting on September 22, 2020. As such, I was unable to vote on the Continuing Resolution, which will keep the government funded into December and provide critical funding for the USDA's Commodity Credit Corporation.

To ensure USDA meets its farm bill obligations and temporary assistance to rural America continues during these difficult times, replenishing the CCC was a major priority and I strongly support its inclusion in this CR.

Had I been present, I would have voted YEA on Roll Call No. 198.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Mr. COHEN. Madam Speaker, although I was present, my vote inadvertently was not recorded on H.R. 451. My vote should have been recorded as Yea.

NATIONAL VOTER REGISTRATION DAY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2020

Ms. KAPTUR. Madam Speaker, yesterday, our Nation marked National Voter Registration Day. But it was also a day of reckoning and milestone as our Nation surpassed 200,000 COVID–19 deaths. Unfortunately, by erecting barriers to voting, we are sending the wrong signal to our citizens. We can do better as voting is the lifeblood of our Democracy.

Our nation must take common sense steps like passing the HEROES Act with its $3.6 billion for state election grants and reigning in the President's politization of the USPS.

The State of Ohio can also do better. Ohio must add more drop boxes for voting, provide universal prepaid postage, and simplify the ballot request process.

While Republican leaders in Columbus and in Washington have wrapped themselves in knots, yesterday, I led an Ohio delegation letter urging Ohio higher educational institutions proactively educate students, faculty, and staff about how to ensure their voice is heard at the ballot box.

I include in the RECORD our September 22, 2020, letter.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 22, 2020.

DEAR OHIO COLLEGE AND UNIVERSITY PRESIDENTS: As our State continues to grapple with the challenges presented by COVID–19, our nation is relying on Ohio's colleges and universities to take a leadership role in ensuring access to the ballot box. This duty is particularly important as we commemorate national voter registration day on September 22, 2020. Your institutions play a key role in ensuring that students understand how to access and exercise their constitutionally enshrined right to vote. Under normal circumstances, students face barriers to voting, and in these difficult times, those barriers have multiplied. We ask that each of you to take steps to ensure your institution commits to easing barriers for your faculty, students and staff to vote.

As we know, the 1965 Higher Education Act (HEA) helped increase access to higher education for low-income and first-generation college students. In 1998, recognizing the importance of involving younger generations in the democratic process, Congress expanded the scope of the act to include provisions on student voting. Section 487(a)(23) of the HEA as reauthorized in 1998 specified that institutions must make a good faith effort to facilitate student voter registration. This reinforced vital role institutions of higher education play in educating and encouraging students to vote.

Your institutions have the opportunity to play an essential role in ensuring that young Americans participate in our democracy by taking simple steps such as designating places where students can complete voter registration forms or absentee ballot requests. Colleges can text students where these one-stop election stations are located and can e-mail students a voter registration link.

Institutions should share broad voter education information about how to vote, including the following:

- Communicate to your students to ensure they are registered to vote and that their registration information is up to date.
- Explain Ohio's voter ID requirements directly to students and staff with emails, posters or mailers. Students driver's license may be expired this year, but the Ohio legislature authorized individuals to vote with an expired license, which students, faculty and staff may not know.
- Clarify that if a student's current address varies from where they registered when they go to vote, they can vote absentee, with the mailer sent to another address, or they can vote provisionally if they can prove their address.
- Be prepared to educate students on how to vote by mail or vote provisionally in the event that campuses close due to the pandemic.
- Make clear to students that where you register to vote will not affect federal financial aid such as Pell Grants, Perkins or Stafford loans, or your dependency status for FAFSA; being registered to vote at a different address from your parents does not prevent them from claiming you as a dependent on their taxes; and being deemed out-of-state for tuition purposes does not prevent you from choosing to register to vote in your campus community.
- Provide faculty, staff, and students with information about how to volunteer as poll workers.

Students, faculty and staff at your institutions need the type of nonpartisan voter information described in this letter. In a time where voter disinformation is rampant, your colleges and universities have not only a legal obligation, but also a moral obligation to make your campuses an example of democratic participation. Thank you for your leadership and for taking every step possible to ease the barriers of voting for eligible voters on your campuses.

Sincerely,

MARCY KAPTUR,
Member of Congress.
MARCIA L. FUDGE,
Member of Congress.
JOYCE BEATTY,
Member of Congress.
SHERROD BROWN,
United States Senator.
TIM RYAN,
Member of Congress.

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 Thursday, September 24, 2020 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 30

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine NASA missions and programs, focusing on update and future plans.

SR–253

Committee on the Judiciary

To hold an oversight hearing to examine the Crossfire Hurricane Investigation.

SD–G50

OCTOBER 1

9:15 a.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine supply chain integrity.

SD–G50

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5795–S5841

Measures Introduced: Twenty-four bills and four resolutions were introduced, as follows: S. 4657–4680, S. Res. 713–714, and S. Con. Res. 46–47. **Pages S5832–33**

Measures Passed:

Enrollment Correction: Senate agreed to S. Con. Res. 46, to correct the enrollment of S. 2330. **Page S5825**

Young Nomination—Agreement: Senate resumed consideration of the nomination of Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia. **Pages S5288–27, S5838–41**

During consideration of this nomination today, Senate also took the following action:

By 93 yeas to 3 nays (Vote No. EX. 192), Senate agreed to the motion to close further debate on the nomination. **Pages S5822–23**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at 10 a.m., on Thursday, September 24, 2020. **Page S5838**

Nominations Confirmed: Senate confirmed the following nominations:

By 70 yeas to 27 nays (Vote No. EX. 191), John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona. **Pages S5798–S5822**

During consideration of this nomination today, Senate also took the following action:

By 71 yeas to 26 nays (Vote No. EX. 190), Senate agreed to the motion to close further debate on the nomination. **Page S5805**

By 54 yeas to 42 nays (Vote No. EX. 193), Jocelyn Samuels, of Maryland, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2021. **Page S5823**

Nomination Received: Senate received the following nomination:

Allen Robert Souza, of North Carolina, to be Inspector General of the Intelligence Community, Office of the Director of National Intelligence. **Page S5841**

Messages from the House: **Page S5829**

Measures Referred: **Pages S5829–30**

Measures Placed on the Calendar: **Page S5796**

Measures Read the First Time: **Page S5830**

Executive Communications: **Pages S5830–32**

Petitions and Memorials: **Page S5832**

Additional Cosponsors: **Pages S5833–35**

Statements on Introduced Bills/Resolutions: **Pages S5835–38**

Additional Statements: **Pages S5828–29**

Authorities for Committees to Meet: **Page S5838**

Record Votes: Four record votes were taken today. (Total—193) **Pages S5805, S5822–23**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:16 p.m., until 10 a.m. on Thursday, September 24, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5838.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NASA

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2021 for the National Aeronautics and Space Administration, after receiving testimony from James F. Bridenstine, Administrator, National Aeronautics and Space Administration.

PROTECTING THE INTEGRITY OF U.S. NATIONAL ELECTIONS

Committee on Armed Services: Committee received a closed briefing on Department of Defense cyber operations in support of efforts to protect the integrity

of United States national elections from malign actors from Kenneth P. Rapuano, Assistant Secretary for Homeland Defense and Global Security, and General Paul M. Nakasone, USA, Commander, U.S. Cyber Command and Director, National Security Agency, and Chief, Central Security Service, both of the Department of Defense.

BUDGET OUTLOOK

Committee on the Budget: Committee concluded a hearing to examine the Congressional Budget Office's updated budget outlook, after receiving testimony from Phillip L. Swagel, Director, Congressional Budget Office.

FEDERAL DATA PRIVACY LEGISLATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the need for federal data privacy legislation, after receiving testimony from California Attorney General Xavier Becerra, Sacramento; and Julie Brill, William E. Kovacic, Maureen K. Ohlhausen, and Jon Leibowitz, all former Commissioners of the Federal Trade Commission.

ENDANGERED SPECIES ACT AMENDMENTS

Committee on Environment and Public Works: Committee concluded a hearing to examine S. 4589, to amend the Endangered Species Act of 1973 to increase transparency, to support regulatory certainty, and to reauthorize that Act, focusing on modernizing the Endangered Species Act, after receiving testimony from Wyoming Governor Mark Gordon, Cheyenne; Liesa Priddy, Florida Cattlemen's Association, Immokalee, on behalf of the National Cattlemen's Beef Association; and Jamie Rappaport Clark, Defenders of Wildlife, Leesburg, Virginia.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Chad F. Wolf, of Virginia, to be Secretary of Homeland Security, after the nominee, who was introduced by Senator Cruz, testified and answered questions in his own behalf.

COVID–19

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine COVID–19, focusing on an update on the federal response, after receiving testimony from Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Robert Redfield, Director, Centers for Disease Control and Prevention, Admiral Brett P. Giroir, Assistant Secretary for Health, and Stephen M. Hahn, Commissioner, Food and Drug Administration, all of the Department of Health and Human Services.

INDIAN AFFAIRS LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 3126, to amend the Public Health Service Act to authorize a special behavioral health program for Indians, S. 3264, to expedite and streamline the deployment of affordable broadband service on Tribal land, S. 3937, to amend section 330C of the Public Health Service Act to reauthorize special programs for Indians for providing services for the prevention and treatment of diabetes, S. 4079, to authorize the Seminole Tribe of Florida to lease or transfer certain land, and S. 4556, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, after receiving testimony from Rear Admiral Michael D. Weahkee, Director, Indian Health Service, Department of Health and Human Services; Marcellus Osceola Jr., Seminole Tribe of Florida, Hollywood; Timothy Nuvangyaoma, Hopi Tribe, Kykotsmovi, Arizona; and Michael Chavarria, Pueblo of Santa Clara, Albuquerque, New Mexico.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the following business items:

S. 4393, to improve the provision of health care and other benefits from the Department of Veterans Affairs for veterans who were exposed to toxic substances, with an amendment in the nature of a substitute; and

S. 4511, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to education, burial benefits, and other matters.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 8350–8365; and 16 resolutions, H. Con. Res. 119; and H. Res. 1142–1147 were introduced. **Pages H4883–84**

Additional Cosponsors: **Pages H4885–86**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H4719**

Recess: The House recessed at 9:41 a.m. and reconvened at 11 a.m. **Page H4723**

Naming the Department of Veterans Affairs community-based outpatient clinic in Youngstown, Ohio, as the "Carl Nunziato VA Clinic": The House agreed to discharge from committee and pass H.R. 5023, to name the Department of Veterans Affairs community-based outpatient clinic in Youngstown, Ohio, as the "Carl Nunziato VA Clinic". **Page H4732**

Designating the Manhattan Campus of the New York Harbor Health Care System of the Department of Veterans Affairs as the "Margaret Cochran Corbin Campus of the New York Harbor Health Care System": The House agreed to discharge from committee and pass H.R. 1925, to designate the Manhattan Campus of the New York Harbor Health Care System of the Department of Veterans Affairs as the "Margaret Cochran Corbin Campus of the New York Harbor Health Care System". **Pages H4732–33**

Designating the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the "Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center": The House agreed to discharge from committee and pass H.R. 7347, to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the "Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center". **Page H4733**

Designating the clinic of the Department of Veterans Affairs in Bend, Oregon, as the "Robert D. Maxwell Department of Veterans Affairs Clinic": The House agreed to take from the Speaker's table and pass S. 4072, to designate the clinic of the Department of Veterans Affairs in Bend, Oregon, as the "Robert D. Maxwell Department of Veterans Affairs Clinic". **Page H4733**

Designating the community-based outpatient clinic of the Department of Veterans Affairs in St. Augustine, Florida, as the "Leo C. Chase Jr. Department of Veterans Affairs Clinic": The House agreed to take from the Speaker's table and pass S. 1646, to designate the community-based outpatient clinic of the Department of Veterans Affairs in St. Augustine, Florida, as the "Leo C. Chase Jr. Department of Veterans Affairs Clinic". **Pages H4733–34**

Designating the Department of Veterans Affairs community-based outpatient clinic in Gilbert, Arizona, as the "Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic": The House agreed to discharge from committee and pass H.R. 4983, to designate the Department of Veterans Affairs community-based outpatient clinic in Gilbert, Arizona, as the "Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic". **Page H4734**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Commander John Scott Hannon Veterans Mental Health Care Improvement Act: S. 785, to improve mental health care provided by the Department of Veterans Affairs; **Pages H4734–52**

Stopping Harm and Implementing Enhanced Lead-time for Debts for Veterans Act: H.R. 5245, amended, to amend title 38, United States Code, to provide for a bar on the recovery of certain payments or overpayments made by the Department of Veterans Affairs by reason of delays in processing of certain information; **Pages H4752–54**

Homeless Veterans Coronavirus Response Act of 2020: H.R. 7105, amended, to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency; **Pages H4754–63**

Agreed to amend the title so as to read: "To provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes."; **Page H4763**

Veterans Comprehensive Prevention, Access to Care, and Treatment Act of 2020: H.R. 8247, amended, to make certain improvements relating to the transition of individuals to services from the Department of Veterans Affairs, suicide prevention for

veterans, and care and services for women veterans; and **Pages H4763–70**

Equal Access to Contraception for Veterans Act: H.R. 3798, amended, to amend title 38, United States Code, to provide for limitations on copayments for contraception furnished by the Department of Veterans Affairs. **Pages H4770–72**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures:

Don't Break Up the T-Band Act: H.R. 451, amended, to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T–Band spectrum, by a ⅔ yea-and-nay vote of 410 yeas to 5 nays, Roll No. 201; **Pages H4773–74**

Agreed to amend the title so as to read: "To repeal the requirement to reallocate and auction the T-band spectrum, to amend the Wireless Communications and Public Safety Act of 1999 to clarify acceptable 9-1-1 obligations or expenditures, and for other purposes.". **Page H4774**

Expanding Access to Sustainable Energy Act: The House considered H.R. 4447, to establish an energy storage and microgrid grant and technical assistance program. Consideration is expected to resume tomorrow, September 24th. **Pages H4774–H4877**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–63, modified by the amendment printed in part A of H. Rept. 116–528, shall be considered as adopted, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. **Page H4774**

H. Res. 1129, the rule providing for consideration of the bills (H.R. 4447), (H.R. 6270), and (H.R. 8319) was agreed to by a yea-and-nay vote of 229 yeas to 187 nays, Roll No. 200, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 190 nays, Roll No. 199. **Pages H4725–32, H4772–73**

Quorum Calls Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H4772, H4772–73, and H4773–74.

Adjournment: The House met at 9 a.m. and adjourned at 7:01 p.m.

Committee Meetings

THE ROLE OF ALLIES AND PARTNERS IN U.S. MILITARY STRATEGY AND OPERATIONS

Committee on Armed Services: Full Committee held a hearing entitled "The Role of Allies and Partners in U.S. Military Strategy and Operations". Testimony was heard from public witnesses.

HEALTH CARE LIFELINE: THE AFFORDABLE CARE ACT AND THE COVID–19 PANDEMIC

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Health Care Lifeline: The Affordable Care Act and the COVID–19 Pandemic". Testimony was heard from Dean Cameron, Director, Idaho Department of Insurance; and public witnesses.

GREEN RECOVERY PLANS FOR THE COVID–19 CRISIS

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, Energy, and the Environment held a hearing entitled "Green Recovery Plans for the COVID–19 Crisis". Testimony was heard from public witnesses.

IMMIGRANTS AS ESSENTIAL WORKERS DURING COVID–19

Committee on the Judiciary: Subcommittee on Immigration and Citizenship held a hearing entitled "Immigrants as Essential Workers During COVID–19". Testimony was heard from public witnesses.

HYBRID HEARING WITH FEDERAL RESERVE CHAIR JEROME H. POWELL

Committee on Oversight and Reform: Select Subcommittee on the Coronavirus Crisis held a hearing entitled "Hybrid Hearing with Federal Reserve Chair Jerome H. Powell". Testimony was heard from Jerome H. Powell, Chair, Board of Governors of the Federal Reserve System.

DATA FOR DECISION-MAKING: RESPONSIBLE MANAGEMENT OF DATA DURING COVID–19 AND BEYOND

Committee on Science, Space, and Technology: Subcommittee on Investigation and Oversight held a hearing entitled "Data for Decision-Making: Responsible Management of Data during COVID–19 and Beyond". Testimony was heard from public witnesses.

DRIVING EQUITY: THE U.S. DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled ''Driving Equity: The U.S. Department of Transportation's Disadvantaged Business Enterprise Program''. Testimony was heard from Sandy-Michael McDonald, Director, Office of Economic and Small Business Development, Broward County, Florida; Sandra Norman, Administrator, Civil Rights Division, Virginia Department of Transportation; and public witnesses.

TOXIC EXPOSURES: EXAMINING AIRBORNE HAZARDS IN THE SOUTHWEST ASIA THEATER OF MILITARY OPERATIONS

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled ''Toxic Exposures: Examining Airborne Hazards in the Southwest Asia Theater of Military Operations''. Testimony was heard from Laurine Carson, Deputy Executive Director, Policy and Procedures, Compensation Service, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 24, 2020

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the quarterly CARES Act report to Congress, 10 a.m., SD–106.

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, Innovation, and the Internet, to hold hearings to examine an evaluation of FirstNet's progress, 10 a.m., SR–253.

Committee on Foreign Relations: to hold hearings to examine United States policy in a changing Middle East, 9 a.m., SD–G50.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine threats to the homeland, 10 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 4632, to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, to amend the Communications Act of 1934 to modify the scope of protection from civil liability for ''good Samaritan'' blocking and screening of offensive material, and the nominations of Benjamin Joel 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 United States District Judge for the Middle District of Florida, and Thompson Michael Dietz, of New Jersey, to be a Judge of the United States Court of Federal Claims, 10 a.m., SR–325.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 9:30 a.m., SVC–217.

Special Committee on Aging: to hold hearings to examine women and retirement, focusing on unique challenges and opportunities to pave a brighter future, 9:30 a.m., SD–562.

House

Committee on Agriculture, Subcommittee on Conservation and Forestry, hearing entitled ''The 2020 Wildfire Year: Response and Recovery Efforts'', 1 p.m., 1300 Longworth and Webex.

Committee on Education and Labor, Full Committee, markup on H.R. 8294, the ''National Apprenticeship Act of 2020'', 10:15 a.m., 2175 Rayburn and Webex.

Committee on Energy and Commerce, Subcommittee on Consumer Protection and Commerce, hearing entitled ''Mainstreaming Extremism: Social Media's Role in Radicalizing America'', 11 a.m., Webex.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Oversight of the United States Agency for Global Media and U.S. International Broadcasting Efforts'', 10 a.m., 2172 Rayburn and Webex.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing entitled ''Oversight of the Civil Rights Division of the Department of Justice'', 9:30 a.m., 2141 Rayburn and Webex.

Full Committee, hearing entitled ''Diversity in America: The Representation of People of Color in the Media'', 2:30 p.m., 2141 Rayburn and Webex.

Committee on Natural Resources, Subcommittee on Water, Oceans, and Wildlife, hearing entitled ''Federal and State Efforts to Restore the Salton Sea'', 12 p.m.,Webex.

Subcommittee for Indigenous Peoples of the United States, hearing on H.R. 7565, to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes; and H.R. 8255, to clarify the status of gaming conducted by the Catawba Indian Nation, and for other purposes, 2 p.m., Webex

Committee on Oversight and Reform, Subcommittee on Environment Hybrid, hearing entitled ''Climate Change, Part IV: Moving Towards a Sustainable Future'', 2 p.m., 2154 Rayburn and Webex.

Committee on Small Business, Subcommittee on Innovation and Workforce Development, hearing entitled ''Paycheck Protection Program: An Examination of Loan Forgiveness, SBA Legacy Systems, and Inaccurate Data'', 10 a.m., 2360 Rayburn and Webex.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing entitled ''The Comprehensive Everglades Restoration Plan and Water Management in Florida'', 11 a.m., 2167 Rayburn and Webex.

Committee on Ways and Means, Subcommittee on Social Security, hearing entitled ''Save Our Social Security Now'', 1 p.m., 1100 Longworth and Webex.

Select Committee on the Modernization of Congress, Full Committee, business meeting on recommendations to improve the congressional schedule and calendar, boost congressional capacity, reclaim Article One responsibilities, reform the budget and appropriations process, identify administrative inefficiencies, and improve technology and continuity in Congress; and to consider the Committee's Final Report, 9 a.m., 210 Cannon.

Next Meeting of the SENATE

10 a.m., Thursday, September 24

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia, post-cloture, and expects to vote on confirmation thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, September 24

House Chamber

Program for Thursday: Continue consideration of H.R. 4447—Expanding Access to Sustainable Energy Act.

Extensions of Remarks, as inserted in this issue

HOUSE

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