

of this Act shall, to the maximum extent practicable, establish or maintain in effect policies to ensure that, with respect to any service provided by a public water system or treatment works to an occupied residence, which service is provided or regulated by such entity—

(1) no such service is or remains disconnected or interrupted during the emergency period because of nonpayment;

(2) all reconstructions of such service are conducted in a manner that minimizes risk to the health of individuals receiving such service; and

(3) no fees for late payment of bills for such service are charged or accrue during the emergency period.

(b) EFFECT.—Nothing in this section shall be construed to require forgiveness of outstanding debt owed to an entity or to absolve an individual of any obligation to an entity for service.

(c) DEFINITIONS.—In this section:

(1) EMERGENCY PERIOD.—The term “emergency period” means the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b-5).

(2) PUBLIC WATER SYSTEM.—The term “public water system” has the meaning given such term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(3) TREATMENT WORKS.—The term “treatment works” has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

TITLE IV—MISCELLANEOUS MATTERS

SEC. 401. TECHNICAL CORRECTIONS AND CLARIFICATION.

(a) Section 4002 of the CARES Act (Public Law 116-136; 15 U.S.C. 9041) is amended by adding at the end the following new paragraph:

“(13) BUSINESSES CRITICAL TO MAINTAINING NATIONAL SECURITY.—The term ‘businesses critical to maintaining national security’ includes businesses that manufacture and produce aerospace-related products, civil or defense, including those that design, integrate, assemble, supply, maintain and repair such products, and other businesses as further defined by the Secretary, in consultation with the Secretary of Defense and the Secretary of Transportation. For purposes of the preceding sentence, aerospace-related products include, but are not limited to, components, parts, or systems of aircraft, aircraft engines, or appliances for inclusion in an aircraft, aircraft engine, or appliance.”.

SEC. 402. TRADE OF INJURIOUS SPECIES AND SPECIES THAT POSE A RISK TO HUMAN HEALTH.

Section 42 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “or any interstate transport between States within the continental United States,” after “shipment between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any possession of the United States,”; and

(ii) by striking “to be injurious to human beings, to the interests of agriculture” and inserting “to be injurious to or to transmit a pathogen that can cause disease in humans, to be injurious to the interests of agriculture”; and

(B) by adding at the end the following:

“(6) In the case of an emergency posing a significant risk to the health of humans, the Secretary of the Interior may designate a species by interim final rule. At the time of publication of the regulation in the Federal Register, the Secretary shall publish therein detailed reasons why such regulation is nec-

essary, and in the case that such regulation applies to a native species, the Secretary shall give actual notice of such regulation to the State agency in each State in which such species is believed to occur. Any regulation promulgated under the authority of this paragraph shall cease to have force and effect at the close of the 365-day period following the date of publication unless, during such 365-day period, the rulemaking procedures which would apply to such regulation without regard to this paragraph are complied with. If at any time after issuing an emergency regulation the Secretary determines, on the basis of the best appropriate data available to the Secretary, that substantial evidence does not exist to warrant such regulation, the Secretary shall withdraw it.

“(7) Not more than 90 days after receiving a petition of an interested person under section 553(e) of title 5, United States Code, to determine that a species is injurious under this section, the Secretary of the Interior shall determine whether such petition has scientific merit. If the Secretary determines a petition has scientific merit, such Secretary shall make a determination regarding such petition not more than 12 months after the date such Secretary received such petition.”; and

(2) by amending subsection (b) to read as follows:

“(b) Any person who knowingly imports, ships, or transports any species in violation of subsection (a) of this section and who reasonably should have known that the species at issue in such violation is a species listed in subsection (a) of this section, or in any regulation issued pursuant thereto, shall be fined under this title or imprisoned not more than six months, or both.”.

SEC. 403. RESCISSION OF FUNDS.

Of the unobligated balances available under section 4027 of division A of the CARES Act (Public Law 116-136), \$146,000,000,000 is hereby permanently rescinded.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 4804. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President, today I am introducing the Rhode Island Fishermen’s Fairness Act of 2020 along with my colleague Senator WHITEHOUSE. This legislation seeks to address a longstanding inequity in our Nation’s fisheries management system which denies Rhode Islanders a voice in the governance of many stocks that local fishermen catch and rely upon for their livelihoods.

The Magnuson-Stevens Act granted Rhode Island voting membership on the New England Fishery Management Council (NEFMC), as NEFMC-managed stocks represent a significant percentage of landings and revenue for the State. However, Rhode Island has an even larger stake in Mid-Atlantic fisheries. Yet, it does not have voting representation on the Mid-Atlantic Fishery Management Council (MAFMC), which currently consists of representatives from New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina.

According to data provided by the National Oceanic and Atmospheric Administration (NOAA), between 2014 and 2018, Rhode Island accounted for approximately a quarter of the commercial landings by value from stocks under the MAFMC’s sole jurisdiction, and its commercial landings were greater than the total landings of all of the states currently represented on the MAFMC with the exception of New Jersey.

As the rest of the Nation learned during the Democratic National Convention, the Rhode Island State appetizer is calamari. That is squid. And while squid is our number one landed species, Rhode Island doesn’t have a formal say in the management of this stock.

This legislation offers a simple solution with sound precedent. North Carolina was added to the MAFMC through an amendment to the Sustainable Fisheries Act in 1996. Like Rhode Island, a significant portion of North Carolina’s landed fish species were managed by the MAFMC, yet the State had no vote on the council. Similarly, the Rhode Island Fishermen’s Fairness Act would create two seats on the MAFMC for Rhode Island: one seat appointed by the Secretary of Commerce based on recommendations from the Governor of Rhode Island, and a second seat filled by Rhode Island’s principal State official with marine fishery management responsibility. To accommodate these new members, the MAFMC would increase in size from 21 to 23 voting members. In short, Rhode Island would be guaranteed the same minimum representation as every other State on the MAFMC.

With mounting economic, ecological, and regulatory challenges, it is more important than ever that Rhode Island fishermen have a voice in the management of the fisheries they depend on.

I urge our colleagues to join us in supporting this commonsense legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 747—EX-PRESSING THE SENSE OF THE SENATE CONDEMNING THE POLITICIZATION OF THE 25TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mrs. LOEFFLER (for herself, Mr. TLLIS, and Mr. CRAMER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 747

Whereas the 25th Amendment to the Constitution of the United States (referred to in this preamble as the “25th Amendment”) states, in section 4, “Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro

tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.”;

Whereas the 25th Amendment was drafted in the wake of the death of President John F. Kennedy and was intended to provide for a clear path of succession in the event of the President's death or inability to discharge the powers and duties of his office, and not as a political tool to remove a duly elected President in the absence of just cause;

Whereas the Speaker of the House of Representatives intends to introduce legislation creating a Commission on Presidential Capacity to Discharge the Powers and Duties of the Office for the purposes of removing President Donald J. Trump from office under section 4 of the 25th Amendment;

Whereas the Speaker of the House of Representatives has failed to put forward a just cause for invoking the 25th Amendment;

Whereas the proposed actions by the Speaker of the House of Representatives are an unprecedented attempt to remove a duly elected President;

Whereas the Speaker of the House Representatives and the Democratic Caucus of the House of Representatives have undertaken a multi-year campaign to delegitimize the duly elected President of the United States and overturn the results of the 2016 Presidential election, and in the course of this campaign have wasted taxpayer dollars and weaponized House resources, including committee and floor time, that could have otherwise been used to help the people of the United States;

Whereas the Speaker of the House of Representatives is politicizing the 25th Amendment and the health of the United States President during a global pandemic in order to influence the upcoming November elections;

Whereas the Speaker of the House of Representatives has failed to negotiate in good faith in regard to providing COVID-19 relief to the people of the United States;

Whereas the Speaker of the House of Representatives is politicizing the 25th Amendment and the health of the United States President in order to increase leverage on negotiations involving COVID-19 relief;

Whereas the Speaker of the House of Representatives is abusing the power of the House of Representatives, violating the intent of the 25th Amendment for political purposes, and misusing taxpayer dollars;

Whereas the Speaker of the House of Representatives is degrading the office she holds and conducting herself in a manner that does not reflect creditably on the House of Representatives; and

Whereas, if allowed to stand, this action by the Speaker of the House of Representatives would set a dangerous precedent for the constitutional system of Government in the United States: Now, therefore, be it

Resolved, That the Senate disapproves of the statements and actions of the Speaker of the House of Representatives and the Democratic Caucus of the House of Representatives for politicizing the 25th Amendment of the Constitution of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2680. Mr. MCCONNELL (for himself, Mr. RUBIO, and Ms. COLLINS) proposed an amendment to amendment SA 2652 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for

an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

TEXT OF AMENDMENTS

SA 2680. Mr. MCCONNELL (for himself, Mr. RUBIO, and Ms. COLLINS) proposed an amendment to amendment SA 2652 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; as follows:

On page 73, strike line 9 and all that follows through page 136, line 6, and insert the following:

TITLE IV—SMALL BUSINESS PROGRAMS

SEC. 4001. SMALL BUSINESS RECOVERY.

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

(b) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATION; ADMINISTRATOR.**—The terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively.

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

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

(d) **ADDITIONAL ELIGIBLE EXPENSES.**—

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

(A) in subclause (VI), by striking “and” at the end;

(B) in subclause (VII), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(VIII) covered operations expenditures, as defined in section 1106(a) of the CARES Act (15 U.S.C. 9005(a));

“(IX) covered property damage costs, as defined in such section 1106(a);

“(X) covered supplier costs, as defined in such section 1106(a); and

“(XI) covered worker protection expenditures, as defined in such section 1106(a).”.

(2) **LOAN FORGIVENESS.**—Section 1106 of the CARES Act (15 U.S.C. 9005) is amended—

(A) in subsection (a)—

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

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

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

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

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

“(3) the term ‘covered operations expenditure’ means a payment for any business software or cloud computing service that facilitates business operations, product or service delivery, the processing, payment, or tracking of payroll expenses, human resources, sales and billing functions, or accounting or tracking of supplies, inventory, records and expenses;”;

(vi) by inserting after paragraph (4), as so redesignated, the following:

“(5) the term ‘covered property damage cost’ means a cost related to property damage and vandalism or looting due to public disturbances that occurred during 2020 that was not covered by insurance or other compensation;”;

(vii) by inserting after paragraph (6), as so redesignated, the following:

“(5) the term ‘covered supplier cost’ means an expenditure made by an entity to a supplier of goods pursuant to a contract, order, or purchase order in effect before October 1, 2020 for the supply of goods that are essential to the operations of the entity at the time at which the expenditure is made;”;

(viii) by inserting after paragraph (8), as so redesignated, the following:

“(9) the term ‘covered worker protection expenditure’—

“(A) means an operating or a capital expenditure that is required to facilitate the adaptation of the business activities of an entity to comply with requirements established or guidance issued by the Department of Health and Human Services, the Centers for Disease Control, or the Occupational Safety and Health Administration during the period beginning on March 1, 2020 and ending the date on which the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID-19) expires related to the maintenance of standards for sanitation, social distancing, or any other worker or customer safety requirement related to COVID-19;

“(B) may include—

“(i) the purchase, maintenance, or renovation of assets that create or expand—

“(I) a drive-through window facility;

“(II) an indoor, outdoor, or combined air or air pressure ventilation or filtration system;

“(III) a physical barrier such as a sneeze guard;

“(IV) an indoor, outdoor, or combined commercial real property;

“(V) an onsite or offsite health screening capability; or

“(VI) other assets relating to the compliance with the requirements or guidance described in subparagraph (A), as determined by the Administrator in consultation with the Secretary of Health and Human Services and the Secretary of Labor; and

“(ii) the purchase of—

“(I) covered materials described in section 328.103(a) of title 44, Code of Federal Regulations, or any successor regulation;

“(II) particulate filtering facepiece respirators approved by the National Institute for Occupational Safety and Health, including those approved only for emergency use authorization; or

“(III) other kinds of personal protective equipment, as determined by the Administrator in consultation with the Secretary of Health and Human Services and the Secretary of Labor; and

“(C) does not include residential real property or intangible property;”;

(ix) in paragraph (11), as so redesignated—

(I) in subparagraph (C), by striking “and” at the end;

(II) in subparagraph (D), by striking “and” at the end; and

(III) by adding at the end the following:

“(E) covered operations expenditures;

“(F) covered property damage costs;

“(G) covered supplier costs; and

“(H) covered worker protection expenditures; and”;

(B) in subsection (b), by adding at the end the following:

“(5) Any covered operations expenditure.

“(6) Any covered property damage cost.

“(7) Any covered supplier cost.

“(8) Any covered worker protection expenditure.”;