SA 1880. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1881. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1882. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1883. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1884. Mr. CRUZ (for himself, Mr. JOHNSON, Mr. BARRASSO, Mr. COTTON, and Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1885. Mr. HAGERTY (for himself, Mr. INHOFE, Mr. SHELBY, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. TILLIS, Mr. CORNYN, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1886. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1887. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1888. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1889. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1890. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1891. Mr. LEE (for himself, Mr. RUBIO, Mr. DAINES , Mr. SCOTT of Florida, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1892. Mr. BLUNT (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1893. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1894. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1895. Mr. KAINE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1896. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1897. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1898. Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. RUBIO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1899. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1900. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1708 submitted by Mrs. BLACKBURN (for herself and Mr. LUJÁN) and intended to be proposed to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1901. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1902. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1903. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1904. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1905. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1906. Ms. ROSEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1907. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1908. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1909. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1910. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1911. Mr. SULLIVAN (for himself, Mr. CORNYN, and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1912. Mrs. HYDE–SMITH submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1913. Mr. WYDEN (for himself, Mr. MANCHIN, and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1914. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1915. Mr. HICKENLOOPER (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1916. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1917. Mr. RUBIO (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1918. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1919. Mr. SULLIVAN (for himself, Mr. TILLIS, Mr. COTTON, and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1704. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SANCTIONS WITH RESPECT TO CERTAIN OFFICIALS OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The President shall impose sanctions under section 1263(b) of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) with respect to the officials specified in subsection (b).

(b) OFFICIALS SPECIFIED.—The officials of the People's Republic of China specified in this subsection are the following:

(1) Chen Quanguo.
(2) Wu Yingjie.
(3) Luo Huining.
(4) Han Zheng.
(5) Xia Baolong.
(6) Zhao Kezhi.
(7) Zhu Hailun.

SA 1705. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division B, add the following:

SEC. 2309. PROHIBITION AGAINST NATIONAL SCIENCE FOUNDATION FUNDING FOR FOREIGN ENTITIES OF CONCERN.

(a) INELIGIBILITY FOR NATIONAL SCIENCE FOUNDATION FUNDING.—Notwithstanding any other provision of law, the Director of the National Science Foundation may not issue an award to a foreign entity of concern (as defined in section 2307(a)(1)).

SA 1706. Mr. PAUL (for himself, Mr. TUBERVILLE, and Mr. MARSHALL) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ENSURING THAT THE SCOPE OF CERTAIN REGULATIONS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IS LIMITED TO CONTROLLING COMMUNICABLE DISEASES.

Section 361(a) of the Public Health Service Act (42 U.S.C. 264(a)) is amended by striking ''The Surgeon General,'' and all that follows through ''may be necessary.'' at the end and inserting the following: ''To prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the States or possessions, or from one State or possession into any other State or possession, the Secretary may make and enforce regulations under this section—

''(1) for the measures authorized under subsections (b) through (d); or

''(2) to provide for such inspection, fumigation, disinfection, sanitation, pest extermination, or destruction of animals or articles found to be so infected or contaminated as to be sources of dangerous infection to human beings.''.

SA 1707. Mr. PAUL (for himself, Mr. JOHNSON, Mr. TILLIS, Mr. TUBERVILLE, Mr. MARSHALL, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FUNDING FOR GAIN-OF-FUNCTION RESEARCH CONDUCTED IN CHINA.

(a) IN GENERAL.—No funds made available to any Federal agency, including the National Institutes of Health and the Department of State, may be used for any gain-of-function research conducted in China.

(b) DEFINITION OF GAIN-OF-FUNCTION RESEARCH.—In this section, the term ''gain-of-function research'' means any research project that may be reasonably anticipated to confer attributes to influenza, MERS, or SARS viruses such that the virus would have enhanced pathogenicity or transmissibility in mammals.

SA 1708. Mrs. BLACKBURN (for herself and Mr. LUJAN) submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. _____. STUDY ON NATIONAL LABORATORY CONSORTIUM FOR CYBER RESILIENCE.

(a) STUDY REQUIRED.—The Secretary of Homeland Security shall, in coordination with the Secretary of Energy and the Secretary of Defense, conduct a study to analyze the feasibility of authorizing a consortia within the National Laboratory system to address information technology and operational technology cybersecurity vulnerabilities in critical infrastructure (as defined in section 1016(e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)).

(b) ELEMENTS.—The study required under subsection (a) shall include the following:

(1) An analysis of any additional authorities needed to establish a research and development program to leverage the expertise at the Department of Energy National Laboratories to accelerate development and delivery of advanced tools and techniques to defend critical infrastructure against cyber intrusions and enable resilient operations during a cyber attack.

(2) Evaluation of potential pilot programs in research, innovation transfer, academic partnerships, and industry partnerships for critical infrastructure protection research.

(3) Identification of and assessment of near-term actions, and cost estimates, necessary for the proposed consortia to be established and effective at a broad scale expeditiously.

(c) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the study conducted under subsection (a).

(2) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) Committee on Armed Services, the Committee Energy and Natural Resources, and the Committee on Homeland Security and Government Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Homeland Security of the House of Representatives.

SA 1709. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 41, strike line 20 and all that follows through page 42, line 12, and insert the following:

(8) INDIVIDUALS THAT WILL GROW THE DOMESTIC WORKFORCE.—The term ''individuals that will grow the domestic workforce'' does not include any alien (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))) who is unlawfully present in the United States.

(9) 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).

(10) KEY TECHNOLOGY FOCUS AREAS.—The term ''key technology focus areas'' means the areas included on the most recent list under section 2005.

(11) 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)).

(12) NATIONAL LABORATORY.—The term ''National Laboratory'', without respect to capitalization, has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(13) STEM.—The term ''STEM'' means the academic and professional disciplines of science, technology, engineering, and mathematics, including computer science.

SA 1710. Mr. KENNEDY (for himself, Mr. RISCH, Mr. HAGERTY, Mr. TILLIS, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, add the following:

SEC. 3314. PROHIBITION ON ALLOCATIONS OF SPECIAL DRAWING RIGHTS AT INTERNATIONAL MONETARY FUND FOR PERPETRATORS OF GENOCIDE AND STATE SPONSORS OF TERRORISM WITHOUT CONGRESSIONAL AUTHORIZATION.

Section 6(b) of the Special Drawing Rights Act (22 U.S.C. 286q(b)) is amended by adding at the end the following:

''(3) Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States vote to allocate Special Drawing Rights under article XVIII, sections 2 and 3, of the Articles of Agreement of the Fund to a member country of the Fund, if the government of the member country has—

''(A) committed genocide at any time during the 10-year period ending with the date of the vote; or

''(B) been determined by the Secretary of State, as of the date of the enactment of the Strategic Competition Act of 2021, to have repeatedly provided support for acts of international terrorism, for purposes of—

''(i) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i));

''(ii) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

''(iii) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

''(iv) any other provision of law.''.

SA 1711. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 475, on line 15, strike ''unless'' and all that follows through line 12 of page 477.

Beginning on page 1410, strike line 1 and all that follows through line 10 on page 1412 and insert the following:

(b) RESTRICTIONS ON CONFUCIUS INSTITUTES.—An institution of higher education that maintains a contract or agreement between the institution and a Confucius Institute shall not be eligible to receive Federal funds provided under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), except funds provided under title IV of such Act.

SA 1712. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. SENSE OF CONGRESS ON NEGOTIATION OF A FREE TRADE AGREEMENT WITH TAIWAN.

It is the sense of Congress that the President should initiate negotiations to enter into a free trade agreement with Taiwan.

SA 1713. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 3_____. DISCLOSURE REQUIREMENT FOR FOREIGN STUDENTS RECEIVING FUNDING FROM THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

An alien present in the United States pursuant to a visa issued under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) shall disclose to the Secretary of Homeland Security any funding received by the alien, directly or indirectly, from the Government of the PRC.

SA 1714. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

SEC. ____. PROHIBITION ON IMPORTATION OF CERTAIN SOLAR PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The importation into the United States of solar products described in subsection (b) is prohibited.

(b) SOLAR PRODUCTS DESCRIBED.—A solar product described in this subsection is a solar product—

(1) produced in the Xinjiang Uyghur Autonomous Region of the People's Republic of China; or

(2) produced using forced labor anywhere in the People's Republic of China.

SA 1715. Mr. RISCH (for himself, Mr. BARRASSO, and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3219K, add the following:

(c) SUPPORT FOR POWER-GENERATION PROJECTS IN CERTAIN LESS DEVELOPED COUNTRIES.—Notwithstanding any provision of law, or rule, regulation, plan, or policy of the United States International Development Finance Corporation, the Corporation may provide support under title II of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9621 et seq.) for any power-generation project in a less developed country described in section 1412(c)(1) of that Act (22 U.S.C. 9612(c)(1)).

SA 1716. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

SEC. ___. ACCOUNTABILITY AND TRANSPARENCY TASK FORCE.

(a) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code;

(2) the term ''Chairperson'' means the chairperson of the Task Force;

(3) the term ''covered funds'' means any loan, loan guarantee, grant, or any other funds received or distributed under this section; and

(4) the term ''Task Force'' means the Accountability and Transparency Task Force established under subsection (b).

(b) ESTABLISHMENT.—There is established the Accountability and Transparency Task Force to coordinate and conduct oversight of covered funds to prevent fraud, waste, and abuse.

(c) COMPOSITION OF THE TASK FORCE.—

(1) CHAIRPERSON.—The Chairperson of the Task Force shall be the Director of the Office of Management and Budget.

(2) MEMBERS.—The members of the Task Force shall include the Inspector General or analogous officer of any agency that receives and distributes covered funds.

(3) COMPENSATION.—No member of the Task Force shall receive any additional compensation for serving on the Task Force.

(d) FUNCTIONS OF THE TASK FORCE.—

(1) FUNCTIONS.—

(A) IN GENERAL.—The Task Force shall coordinate and conduct oversight of covered funds in order to prevent fraud, waste, and abuse.

(B) SPECIFIC FUNCTIONS.—The functions of the Task Force shall include—

(i) reviewing whether the reporting of covered funds meets applicable standards and specifies the purpose of the use of the covered funds and measures of performance;

(ii) reviewing whether competition requirements applicable to covered funds have been satisfied;

(iii) auditing or reviewing covered funds to determine whether wasteful spending, poor management of covered funds, or other abuses are occurring and referring matters it considers appropriate for investigation to the inspector general for the agency that disbursed the covered funds;

(iv) reviewing whether there are sufficient qualified acquisition and grant personnel overseeing covered funds;

(v) reviewing whether personnel whose duties involve acquisitions or the use of covered funds receive adequate training; and

(vi) reviewing whether there are appropriate mechanisms for interagency collaboration relating to covered funds, including coordinating and collaborating to the extent practicable with the Council of the Inspectors General on Integrity and Efficiency.

(2) REPORTS.—

(A) MONTHLY AND OTHER REPORTS.—

(i) MONTHLY.—The Task Force shall submit to the President and Congress, including the Committees on Appropriations of the Senate and House of Representatives, and any member of Congress upon request, monthly reports on potential management and funding problems relating to covered funds that require immediate attention.

(ii) ADDITIONAL REPORTS.—The Task Force shall submit to the President, Congress, and any member of Congress upon request such

other reports as the Task Force considers appropriate on the use and benefits of covered funds.

(B) QUARTERLY AND OTHER REPORTS.—The Task Force shall submit quarterly reports to the President and Congress, including the Committees on Appropriations of the Senate and House of Representatives, and any member of Congress upon request, summarizing the findings of the Task Force and the findings of the members of the Task Force, and may submit additional reports as appropriate.

(C) ANNUAL REPORTS.—The Task Force shall submit annual reports to the President and Congress, including the Committees on Appropriations of the Senate and House of Representatives, and any member of Congress upon request, consolidating applicable quarterly reports on the use of covered funds.

(D) PUBLIC AVAILABILITY.—

(i) IN GENERAL.—All reports submitted under this paragraph shall be made publicly available and posted on the website established under subsection (f).

(ii) REDACTIONS.—Any portion of a report submitted under this paragraph may be redacted when made publicly available, if that portion would disclose information that is not subject to disclosure under sections 552 and 552a of title 5, United States Code.

(3) RECOMMENDATIONS.—

(A) IN GENERAL.—The Task Force shall make recommendations to agencies on measures to prevent fraud, waste, and abuse relating to covered funds.

(B) RESPONSIVE REPORTS.—Not later than 30 days after receipt of a recommendation under subparagraph (A), an agency shall submit a report to the President, the congressional committees of jurisdiction, including the Committees on Appropriations of the Senate and House of Representatives, and the Task Force on—

(i) whether the agency agrees or disagrees with the recommendations; and

(ii) any actions the agency will take to implement the recommendations.

(e) POWERS OF THE TASK FORCE.—

(1) IN GENERAL.—The Task Force shall conduct audits and reviews of spending of covered funds and coordinate on such activities with the Inspector General of the relevant agency to avoid duplication and overlap of work.

(2) AUDITS AND REVIEWS.—The Task Force may—

(A) conduct its own independent audits and reviews relating to covered funds; and

(B) collaborate on audits and reviews relating to covered funds with any Inspector General of an agency.

(3) AUTHORITIES.—

(A) AUDITS AND REVIEWS.—In conducting audits and reviews, the Task Force—

(i) shall have the authorities provided under section 6 of the Inspector General Act of 1978 (5 U.S.C. App.); and

(ii) may issue subpoenas to compel the testimony of persons who are not Federal officers or employees and may enforce such subpoenas in the same manner as provided for subpoenas under section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(B) STANDARDS AND GUIDELINES.—The Task Force shall carry out the powers under paragraphs (1) and (2) in accordance with section 4(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(4) PUBLIC HEARINGS.—The Task Force may hold public hearings and Task Force personnel may conduct necessary inquiries. The head of each agency shall make all officers and employees of that agency available to provide testimony to the Task Force and Task Force personnel. The Task Force may issue subpoenas to compel the testimony of persons who are not Federal officers or employees at such public hearings. Any such subpoenas may be enforced in the same manner as provided for subpoenas under section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(f) TASK FORCE WEBSITE.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall establish and maintain a user-friendly, public-facing website to foster greater accountability and transparency in the use of covered funds.

(2) PURPOSE.—The website established and maintained under paragraph (1) shall be a portal or gateway to key information relating to this section and provide connections to other Government websites with related information.

(3) CONTENT AND FUNCTION.—In establishing the website established and maintained under paragraph (1), the Task Force shall ensure the following:

(A) The website shall provide materials explaining what this section means for citizens. The materials shall be easy to understand and regularly updated.

(B) The website shall provide accountability information, including findings from audits, inspectors general, and the Government Accountability Office.

(C) The website shall provide data on relevant economic, financial, grant, and contract information in user-friendly visual presentations to enhance public awareness of the use of covered funds.

(D) The website shall provide detailed data on covered funds awarded by the Federal Government, including information about the competitiveness of the contracting process, information about the process that was used for the award of covered funds, and for covered funds over $500,000, a summary of any related contract.

(E) The website shall include printable reports on covered funds obligated by month to each State and congressional district.

(F) The website shall provide a means for the public to give feedback on the performance of activities carried out with covered funds.

(G) The website shall include detailed information on the expenditure by the Federal Government of covered funds, to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note), allowing aggregate reporting on awards below $25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

(H) The website shall provide a link to estimates of the jobs sustained or created by this section.

(I) The website shall provide a link to information about announcements of grant competitions and solicitations for contracts to be awarded.

(J) The website shall include appropriate links to other government websites with information concerning covered funds, including Federal agency and State websites.

(K) The website shall include a plan from each Federal agency for using funds made available in this section to the agency.

(L) The website shall provide information on Federal allocations of formula grants and awards of competitive grants using covered funds.

(M) The website shall provide information on Federal allocations of mandatory and other entitlement programs by State, county, or other appropriate geographical unit.

(N) The website shall be enhanced and updated as necessary to carry out the purposes of this section.

(4) WAIVER.—The Task Force may exclude posting contractual or other information on the website on a case-by-case basis when necessary to protect national security or to protect information that is not subject to disclosure under sections 552 and 552a of title 5, United States Code.

(g) INDEPENDENCE OF INSPECTORS GENERAL.—

(1) INDEPENDENT AUTHORITY.—Nothing in this section shall affect the independent authority of an inspector general to determine whether to conduct an audit or investigation of covered funds.

(2) REQUESTS BY TASK FORCE.—If the Task Force requests that an Inspector General of an agency conduct or refrain from conducting an audit or investigation and the Inspector General rejects the request in whole or in part—

(A) the Inspector General shall, not later than 30 days after rejecting the request, submit a report to the Task Force, the head of the applicable agency, and the congressional committees of jurisdiction, including the Committees on Appropriations of the Senate and House of Representatives, that states the reasons that the Inspector General has rejected the request in whole or in part; and

(B) the decision of the Inspector General shall be final.

(h) COORDINATION WITH THE COMPTROLLER GENERAL AND STATE AUDITORS.—The Task Force shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.

(i) TERMINATION OF THE TASK FORCE.—The Task Force shall terminate on the date that is 5 years after the date of enactment of this Act.

SA 1717. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

TITLE ____—REINS ACT

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Regulations from the Executive in Need of Scrutiny Act of 2021'' or the ''REINS Act''

SEC. ____02. PURPOSE.

The purpose of this title is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. ____03. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

''CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''Sec.

''801. Congressional review.
''802. Congressional approval procedure for major rules.
''803. Congressional disapproval procedure for nonmajor rules.
''804. Definitions.
''805. Judicial review.
''806. Exemption for monetary policy.
''807. Effective date of certain rules.

''§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 804(2);

''(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

''(v) the proposed effective date of the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

''(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

''(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

''(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

''(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days; or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day; or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

''§ 802. Congressional approval procedure for major rules

''(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

''(A) bears no preamble;

''(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by _____ relating to _____.';

''(C) includes after its resolving clause only the following (with blanks filled as appropriate): 'That Congress approves the rule submitted by _____ relating to _____.'; and

''(D) is introduced pursuant to paragraph (2).

''(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

''(A) in the case of the House of Representatives, within 3 legislative days; and

''(B) in the case of the Senate, within 3 session days.

''(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

''(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a

joint resolution described in subsection (a) shall be decided without debate.

''(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

''(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

''(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter:

''(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).

''(2) The term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

''(A) an annual effect on the economy of $100 million or more;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

''(3) The term 'nonmajor rule' means any rule that is not a major rule.

''(4) The term 'rule' has the meaning given such term in section 551, except that such term does not include—

''(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

''(B) any rule relating to agency management or personnel; or

''(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of nonagency parties.

''(5) The term 'submission or publication date', except as otherwise provided in this chapter, means—

''(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

''(B) in the case of a nonmajor rule, the later of—

''(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

''(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.''.

SEC. ____04. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following new subparagraph:

''(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rule subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.''.

SEC. ____05. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

SA 1718. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 33, strike line 25 and all that follows through page 35, line 5, and insert the following:

(B) ALLOCATION BY PRESIDENT.—If Congress has not enacted legislation establishing alternate allocations, including by account, program, and project, by the date on which the Act making full-year appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the applicable fiscal year is enacted into law, only then shall amounts recommended for allocation for that fiscal year from amounts made available under subsection (a) be allocated by the President or apportioned or allotted by account, program, and project pursuant to title 31, United States Code.

SA 1719. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1002(b)(3)(B)(ii) and insert the following:

(ii) ALLOCATION BY PRESIDENT.—If Congress has not enacted legislation establishing alternate allocations, including by account, program element, and project, by the date on which the Act making full-year appropriations for the Department of Defense for the applicable fiscal year is enacted into law, only then shall amounts made available under paragraph (2) be allocated by the President or apportioned or allotted by account, program element, and project pursuant to title 31, United States Code.

SA 1720. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1002(a)(4)(B)(ii) and insert the following:

(ii) ALLOCATION BY PRESIDENT.—If Congress has not enacted legislation establishing alternate allocations, including by account, program, and project, by the date on which the Act making full-year appropriations for the Department of Commerce, Justice, Science, and Related Agencies for the applicable fiscal year is enacted into law, only then shall amounts made available under paragraph (2) be allocated by the President or apportioned or allotted by account, program, and project pursuant to title 31, United States Code.

SA 1721. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 1107, line 5, strike ''may'' and insert ''shall''.

On page 1107, line 18, strike ''25 percent'' and insert ''10 percent''.

Beginning on page 1107, strike line 19 and all that follows through page 1108, line 6, and insert the following:

(c) AUTOMATIC SUNSET ON WAIVERS OF GENERAL APPLICABILITY.—

On page 1109, line 4, strike ''(e)'' and insert ''(d)''.

SA 1722. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2210.

SA 1723. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1002(c)(3)(B)(ii) and insert the following:

(ii) ALLOCATION BY PRESIDENT.—If Congress has not enacted legislation establishing alternate allocations, including by account, program, project, and activity, by the date on which the Act making full-year appropriations for the Department of State, Foreign Operations, and Related Programs for the applicable fiscal year is enacted into law, only then shall amounts made available under paragraph (2) be allocated by the President or apportioned or allotted by account, program, project, and activity pursuant to title 31, United States Code.

SA 1724. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2202, strike subsection (f).

SA 1725. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes;

which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. AVAILABILITY OF REPORTS TO MEMBERS OF CONGRESS.

Any report required by a provision of or amendment made by this Act shall be made available to a Member of Congress upon request.

SA 1726. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, add the following:

SEC. 3314. REPORT ON FORCED LABOR IN UNITED STATES SUPPLY CHAINS.

The Commissioner of U.S. Customs and Border Protection shall submit to Congress a report—

(1) assessing the prevalence of goods made with forced labor in United States supply chains; and

(2) making recommendations with respect to preventing the importation of such goods into the United States.

SA 1727. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONGRESSIONAL REVIEW OF UNILATERAL TRADE ACTIONS.

(a) IN GENERAL.—Chapter 5 of title I of the Trade Act of 1974 (19 U.S.C. 2191 et seq.) is amended by adding at the end the following:

"SEC. 155. CONGRESSIONAL REVIEW OF UNILATERAL TRADE ACTIONS.

''(a) UNILATERAL TRADE ACTION DEFINED.—

''(1) IN GENERAL.—In this section, the term 'unilateral trade action' means any of the following actions taken with respect to the importation of an article pursuant to a provision of law specified in paragraph (2):

''(A) A prohibition on importation of the article.

''(B) The imposition of or an increase in a duty applicable to the article.

''(C) The imposition or tightening of a tariff-rate quota applicable to the article.

''(D) The imposition or tightening of a quantitative restriction on the importation of the article.

''(E) The suspension, withdrawal, or prevention of the application of trade agreement concessions with respect to the article.

''(F) Any other restriction on importation of the article.

''(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are the following:

''(A) Section 122.

''(B) Chapter 1 of title II.

''(C) Title III.

''(D) Section 406.

''(E) Section 338 of the Tariff Act of 1930 (19 U.S.C. 1338).

''(F) Section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862).

''(G) Section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4202(a)).

''(H) The Trading with the Enemy Act (50 U.S.C. 4301 et seq.).

''(I) The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

''(J) Any provision of law enacted to implement a trade agreement to which the United States is a party.

''(K) Any provision of a trade agreement to which the United States is a party.

''(3) EXCEPTION FOR TECHNICAL CORRECTIONS TO HARMONIZED TARIFF SCHEDULE.—A technical correction to the Harmonized Tariff Schedule of the United States shall not be considered a unilateral trade action for purposes of this section.

''(b) CONGRESSIONAL APPROVAL REQUIRED.—A unilateral trade action may not take effect unless—

''(1) the President submits to Congress and to the Comptroller General of the United States a report that includes—

''(A) a description of the proposed unilateral trade action;

''(B) the proposed effective period for the action;

''(C) an economic cost-benefit analysis of the action, including an assessment of—

''(i) whether the action is in the national economic interest of the United States; and

''(ii) the macroeconomic effects of the action on—

''(I) employment in the United States;

''(II) the gross domestic product of the United States; and

''(III) revenues and expenditures of the Federal Government; and

''(D) a list of articles that will be affected by the action by subheading number of the Harmonized Tariff Schedule of the United States; and

''(2) a joint resolution of approval is enacted pursuant to subsection (d) with respect to the action.

''(c) REPORT OF COMPTROLLER GENERAL.—Not later than 30 days after the submission of the report required by subsection (b)(1) with respect to a proposed unilateral trade action, the Comptroller General shall submit to Congress a report on the proposed action that includes an assessment of the compliance of the President with the provision of law specified in subsection (a)(2) pursuant to which the action would be taken.

''(d) PROCEDURES FOR JOINT RESOLUTION OF APPROVAL.—

''(1) JOINT RESOLUTION OF APPROVAL DEFINED.—For purposes of this subsection, the term 'joint resolution of approval' means a joint resolution of either House of Congress that—

''(A) states that Congress approves an action proposed by the President in a report submitted under subsection (b)(1); and

''(B) describes the action being approved by Congress.

''(2) INTRODUCTION.—During the period of 45 days after a House of Congress receives a report under subsection (b)(1) with respect to a unilateral trade action, a joint resolution of approval may be introduced by any Member of that House.

''(3) COMMITTEE CONSIDERATION.—

''(A) REFERRAL.—A joint resolution of approval introduced in the House of Representatives shall be referred to the Committee on Ways and Means and a joint resolution of approval introduced in the Senate shall be referred to the Committee on Finance.

''(B) CONSIDERATION.—The Committee on Ways and Means and the Committee on Finance may, in considering a joint resolution of approval, hold such hearings and meetings and solicit such testimony as the Committee considers appropriate.

''(C) REPORTING.—

''(i) IN GENERAL.—Subject to subparagraph (D), the Committee on Ways and Means and the Committee on Finance may, at any time after receiving a joint resolution of approval, report the resolution favorably or unfavorably.

''(ii) SUBSEQUENT RESOLUTIONS.—If a subsequent joint resolution of approval relating to the same unilateral trade action proposed in the same report submitted under subsection (b)(1) is referred to the Committee on Ways and Means or the Committee on Finance after the first such resolution is reported or discharged, the subsequent resolution shall not be reported under this subparagraph.

''(iii) PLACEMENT ON CALENDAR.—A joint resolution of approval reported by the Committee on Ways and Means or the Committee on Finance shall lie over one legislative day and then be placed on the appropriate calendar.

''(D) DISCHARGE.—

''(i) IN GENERAL.—If the Committee on Ways and Means or the Committee on Finance has not reported a joint resolution of approval by the date that is 15 days after the resolution is referred to the committee, the resolution shall be automatically discharged from the committee and placed on the appropriate calendar.

''(ii) PROHIBITION ON MOTIONS TO RECOMMIT.—A motion to recommit a joint resolution of approval shall not be in order.

''(iii) SUBSEQUENT RESOLUTIONS.—If a subsequent joint resolution of approval relating to the same unilateral trade action proposed in the same report submitted under subsection (b)(1) is referred to the Committee on Ways and Means or the Committee on Finance after the first such resolution is reported or discharged, the subsequent resolution shall not be discharged under this subparagraph.

''(4) FLOOR CONSIDERATION IN SENATE.—In the Senate:

''(A) MOTION TO PROCEED.—

''(i) TIMING.—A motion to proceed to a joint resolution of approval is in order at any time after the resolution is placed on the calendar.

''(ii) MOTION BY ANY SENATOR.—Any Senator may move to proceed to a joint resolution of approval.

''(iii) PRIVILEGE.—A motion to proceed to the consideration of the joint resolution of approval is privileged, except that this clause shall apply only to a motion to proceed to a joint resolution of approval reported or discharged from the Committee on Finance under paragraph (3) or to the first joint resolution of approval placed on the calendar after passage in the House of Representatives.

''(iv) DEBATE.—Debate on a motion to proceed to a joint resolution of approval is limited to not more than 5 hours, equally divided between Senators favoring and Senators opposing the resolution.

''(v) MOTION NOT AMENDABLE.—The motion to proceed to the joint resolution of approval is not amendable. A motion to reconsider is not in order. A motion to table is not in order.

''(vi) OTHER MOTIONS NOT IN ORDER.—After a motion to proceed to a joint resolution of approval is agreed to, motions to postpone or to consider other business are not in order.

''(B) MOTIONS AND APPEALS.—All motions and appeals relating to a joint resolution of approval shall be decided by the Senate without debate.

''(5) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, if any committee to which a joint resolution of approval has been referred has not reported it to the House at the end of 10 calendar days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On Thursdays it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 3 calendar days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up, a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken on or before the close of the 10th calendar day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution, such vote shall be taken on that day.

''(6) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before passing a joint resolution of approval, one House receives from the other a joint resolution of approval from the other House, then—

''(A) the joint resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day it is received; and

''(B) the procedures set forth in paragraph (4) or (5), as applicable, shall apply in the receiving House to the joint resolution received from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

''(7) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

''(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, and the rules provided for in this section supersede other rules only to the extent that they are inconsistent with such other rules; and

''(B) with the full recognition of the constitutional right of either House to change the rules provided for in this section (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

''(e) REPORT BY THE UNITED STATES INTERNATIONAL TRADE COMMISSION.—Not later than 12 months after the date of a unilateral trade action taken pursuant to this section, the United States International Trade Commission shall submit to Congress a report on the effects of the action on the United States economy, including a comprehensive assessment of the economic effects of the action on producers and consumers in the United States.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 154 the following:

''Sec. 155. Congressional review of unilateral trade actions.''.

SA 1728. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2201, insert after subsection (b) the following:

(c) DIVISIVE CONCEPTS.—

(1) DEFINITION.—In this subsection, the term ''divisive concepts'' means the concepts that—

(A) one race or sex is inherently superior to another race or sex;

(B) the United States is fundamentally racist or sexist;

(C) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(D) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex;

(E) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(F) an individual's moral character is necessarily determined by his or her race or sex;

(G) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(H) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or

(I) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race.

(2) PROHIBITION.—In carrying out this Act or any duties for the National Science Foundation, the Chief Diversity Officer shall not use, teach, promote, or recommend any divisive concepts.

SA 1729. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2201, strike paragraph (6) of subsection (b) and all that follows through subsection (c).

SA 1730. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2201.

SA 1731. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6121 and insert the following:

SEC. 6121. SCHOOL ACCOUNTABILITY FOR STUDENT LOANS.

(a) DEFAULT RATE FINE.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a), by adding at the end the following:

''(30) The institution will pay a default rate fine that is determined pursuant to subsection (k).''; and

(2) by adding at the end the following:

''(k) DEFAULT RATE FINE.—

''(1) IN GENERAL.—Each institution described in paragraph (2) shall pay to the Secretary an annual default rate fine in accordance with this subsection.

''(2) APPLICABLE INSTITUTIONS.—An institution shall pay a default rate fine under this subsection for a fiscal year based on the cohort default rate (as defined in section 435(m)) on loans made under this title for such fiscal year.

''(3) FINE.—

''(A) IN GENERAL.—Each institution described in paragraph (2) shall pay a default rate fine for a fiscal year that is equal to 10 percent of the applicable amount determined under subparagraph (B)(i) for such fiscal year.

''(B) APPLICABLE AMOUNT.—

''(i) IN GENERAL.—The applicable amount for a fiscal year with respect to an institution shall be an amount equal to the product of the amount of loans made under this title for such fiscal year, and the applicable rate determined in clause (ii). If the applicable rate is equal to or less than zero percent then the applicable amount shall be equal to zero.

''(ii) APPLICABLE RATE.—The applicable rate for a fiscal year with respect to an institution shall be the rate that is equal to the difference between the cohort default rate on loans made under this title (as defined in section 435(m)) for such fiscal year and the average rate of total unemployment in the United States for the 3-year period covered by that cohort default rate (as defined in section 435(m)), as determined by the Secretary of Labor.

''(4) CREDIT FOR CERTAIN INSTITUTIONS.—Each institution that is described in paragraph (2) shall receive a $400 credit for the fiscal year for each graduate of the institution during such fiscal year who received a Federal Pell Grant while enrolled at the institution.

''(5) FLEXIBILITY IN COUNSEL AND ADVICE.—Notwithstanding any other provision of the Act, the Secretary shall grant institutions of

higher education flexibility under this Act to counsel and advise students on Federal financial aid, including granting flexibility for institutions to award less than the maximum amount of Federal student aid for which an individual is eligible if the cost of tuition, room, and board at the institution is less than such maximum amount.''.

(b) FLEXIBILITY IN COUNSELING AND ADVICE.—Section 485(l) of the Higher Education Act of 1965 (20 U.S.C. 1092(l)) is amended by adding at the end the following:

''(3) FLEXIBILITY IN COUNSELING AND ADVICE.—In addition to the entrance counseling under paragraph (1), an eligible institution may require any borrower, at or prior to the time of a disbursement to the borrower of a loan made under part D, to receive the information described in paragraph (2) with respect to such loan, or any other financial counseling, including financial literacy counseling.''.

SA 1732. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 1355, lines 21 and 22, strike ''**ELEMENTARY AND**''.

On page 1356, lines 1 and 2, strike ''elementary schools and''.

On page 1356, lines 3 and 4, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1356, lines 7 and 8, strike ''elementary school''.

On page 1358, strike lines 6 through 21 and insert the following:

(5) COVERED STUDENT.—The term ''covered student'' means an individual who is—

(A) enrolled in a secondary school; and

(B) undergoing instruction with goals of acquiring and developing professional knowledge and achieving employment in a STEM field.

On page 1359, lines 10 and 11, strike ''elementary and''.

On page 1359, lines 11 and 12, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1361, lines 8 and 9, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1361, line 20, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1362, lines 1 and 2, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1363, lines 6 and 7, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1363, strike lines 10 through 12 and insert ''computational thinking skills in secondary education.''.

On page 1365, line 22, strike ''elementary school and''.

On page 1366, lines 11 and 12, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1366, lines 22 and 23, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1366, line 24, strike ''elementary school and''.

On page 1367, lines 12 and 13, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1367, line 29, by striking ''elementary schools and''.

On page 1368, lines 8 and 9, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1369, strike lines 18 through 20 and insert ''students in secondary schools.''.

On page 1371, line 7, strike ''elementary schools and''.

On page 1371, lines 12 and 13, strike ''elementary schools and''.

On page 1371, line 17, strike ''elementary schools and''.

On page 1371, lines 24 and 25, strike ''elementary schools and''.

On page 1372, line 5, strike ''elementary schools and''.

On page 1373, lines 2 and 3, strike ''elementary school and''.

On page 1373, lines 3 and 4, strike ''elementary school and secondary school students facing systemic barriers'' and insert ''covered students''.

On page 1374, lines 4 and 5, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1374, lines 18 and 19, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1375, lines 9 and 10, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1375, line 12, strike ''elementary schools and''.

On page 1375, line 18, strike ''elementary schools and''.

On page 1375, line 20, strike ''elementary schools and''.

On page 1376, lines 5 and 6, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1376, lines 9 and 10, by striking ''elementary schools and''.

On page 1378, lines 18 and 19, by striking ''elementary school and''.

On page 1380, line 10, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1380, strike lines 18 through 20 and insert ''secondary school students.''.

On page 1381, line 12, strike ''elementary school and''.

On page 1381, lines 19 and 20, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1382, lines 11 and 12, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1382, lines 18 and 19, strike ''students facing systemic barriers'' and insert ''covered students''.

On page 1382, strike lines 22 through 24 and insert ''secondary school students.''.

SA 1733. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2208(e), strike ''and provides the student with an additional stipend''.

SA 1734. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2206, insert the following:

(e) TERMINATION.—The authority provided by subsections (a) through (d) terminates on the day that is 5 years after the date of enactment of this Act.

SA 1735. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title II of division C, add the following:

SEC. 3260. LIMITATION ON CONTRIBUTIONS TO NATO RELATED TO COUNTERING CHINA.

No United States contributions shall be made available for North Atlantic Treaty Organization (NATO) obligations or activities related to countering the People's Republic of China until such time as—

(1) the North Atlantic Treaty is updated to reflect the addition of a China mission; and

(2) all NATO member countries have met the mandatory defense spending requirements.

SA 1736. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. 32___. AVAILABILITY OF UNITED STATES DEFENSE ARTICLES AND SERVICES TO TAIWAN.

Section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)) is amended by striking ''the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability'' and inserting ''the United States shall make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a competitive self-defense capability''.

SA 1737. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title II of division C, add the following:

SEC. 3260. MANDATORY REVIEW OF CONTINUED NATO PARTICIPATION IN EVENT STANDING EUROPEAN ARMY IS ESTABLISHED.

Not later than 90 days after determining that the European Union has established a standing European Army, the President shall, in conjunction with the Secretary of Defense and the Secretary of State, conduct a review of the benefits, risks, and costs of continued United States participation in the North Atlantic Treaty Organization (NATO).

SA 1738. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle A of title II of division C, insert the following:

SEC. 32___. REQUIREMENT FOR AN AUTHORIZATION FOR USE OF MILITARY FORCE.

The President may only introduce members of the Armed Forces into hostilities in or on behalf of Taiwan—

(1) if Congress has enacted an authorization for the use of military force for such purpose; or

(2) for not more than 30 days to repel a sudden attack, or the concrete, specific, and immediate threat of such a sudden attack, upon the United States, its territories, or possessions, its armed forces, or other United States citizens overseas.

SA 1739. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 3209, strike subsections (c) through (h) and insert the following:

(c) OFFICE LIAISONS.—The Secretary of Commerce and the Secretary of the Treasury shall each appoint, from within their respective departments at the level of GS–14 or higher, liaisons between the Office and the Department of Commerce or the Department of the Treasury, as applicable, to perform the following duties:

(1) Collaborate with the Department of State on relevant technology initiatives and partnerships.

(2) Provide technical and other relevant expertise to the Office, as appropriate.

(d) MEMBERSHIP.—In addition to the liaisons referred to in subsection (c), the Office shall include a representative or expert detailee from key Federal agencies, as determined by the Secretary of State.

(e) PURPOSES.—The purposes of the Office shall include responsibilities such as—

(1) creating, overseeing, and carrying out technology partnerships with countries and relevant political and economic unions that are committed to—

(A) the rule of law, freedom of speech, and respect for human rights;

(B) the safe and responsible development and use of new and emerging technologies and the establishment of related norms and standards;

(C) a secure internet architecture governed by a multi-stakeholder model instead of centralized government control;

(D) robust international cooperation to promote an open internet and interoperable technological products and services that are necessary to freedom, innovation, transparency, and privacy; and

(E) multilateral coordination, including through diplomatic initiatives, information sharing, and other activities, to defend the principles described in subparagraphs (A) through (D) against efforts by state and nonstate actors to undermine them;

(2) harmonizing technology governance regimes with partners, coordinating on basic and pre-competitive research and development initiatives, and collaborating to pursue such opportunities in key technologies, including—

(A) artificial intelligence and machine learning;

(B) 5G telecommunications and other advanced wireless networking technologies;

(C) semiconductor manufacturing;

(D) biotechnology;

(E) quantum computing;

(F) surveillance technologies, including facial recognition technologies and censorship software; and

(G) fiber optic cables;

(3) coordinating with such countries regarding shared technology strategies, including technology controls and standards, as well as strategies with respect to the development and acquisition of key technologies to provide alternatives for those countries utilizing systems supported by authoritarian regimes;

(4) coordinating the adoption of shared data privacy, data sharing, and data archiving standards among the United States and partner countries and relevant economic and political unions, including complementary data protection regulations;

(5) coordinating with other technology partners on export control policies, including as appropriate through the Wassenaar Arrangement On Export Controls for Conventional Arms and Dual-Use Goods and Technologies, done at The Hague December 1995, the Nuclear Suppliers Group, the Australia Group, and the Missile Technology Control Regime; supply chain security; and investment in or licensing of critical infrastructure and dual-use technologies;

(6) coordinating with members of technology partnerships on other policies regarding the use and control of emerging and foundational technologies through appropriate restrictions, investment screening, and appropriate measures with respect to technology transfers;

(7) coordinating policies, in coordination with the Department of Commerce, around the resiliency of supply chains in critical technology areas, including possible diversification of supply chain components to countries involved in technology partnerships with the United States, while also maintaining transparency surrounding subsidies and product origins;

(8) sharing information regarding the technology transfer threat posed by authoritarian governments and the ways in which autocratic regimes are utilizing technology to erode individual freedoms and other foundations of open, democratic societies;

(9) administering the establishment of—

(A) the common funding mechanism for development and adoption of measurably secure semiconductors and measurably secure semiconductors supply chains created in and in accordance with the requirements of section 9905 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283); and

(B) the multilateral telecommunications security fund created in and in accordance with the requirements of section 9202 of such Act; and

(10) collaborating with private companies, trade associations, and think tanks to realize the purposes of paragraphs (1) through (9).

(f) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the next 3 years, the Secretary of State, in coordination with the Director for National Intelligence, shall submit an unclassified report to the appropriate congressional committees, with a classified index, if necessary, regarding—

(1) the activities of the Office, including any cooperative initiatives and partnerships pursued with United States allies and partners, and the results of those activities, initiatives, and partnerships; and

(2) the activities of the Government of the Peoples' Republic of China, the Chinese Communist Party, and the Russian Federation in key technology sectors and the threats they pose to the United States, including—

(A) artificial intelligence and machine learning;

(B) 5G telecommunications and other advanced wireless networking technologies;

(C) semiconductor manufacturing;

(D) biotechnology;

(E) quantum computing;

(F) surveillance technologies, including facial recognition technologies and censorship software; and

(G) fiber optic cables.

(g) SENSE OF CONGRESS ON ESTABLISHING INTERNATIONAL TECHNOLOGY PARTNERSHIP.—It is the sense of Congress that the Secretary of State should seek to establish an International Technology Partnership for the purposes described in this section with foreign countries that have—

(1) a democratic national government and a strong commitment to democratic values, including an adherence to the rule of law, freedom of speech, and respect for and promotion of human rights;

(2) an economy with advanced technology sectors; and

(3) a demonstrated record of trust or an expressed interest in international cooperation and coordination with the United States on important defense and intelligence issues.

(h) CONTRIBUTION REQUIREMENT.—Any agreement formed with one or more countries on a bilateral or multilateral basis under this section shall require, at minimum, that the other country or countries collectively share at least 50 percent of the costs associated with the partnership.

(i) TREATY REQUIREMENT.—Any agreement to form a partnership under this section shall be formalized as a treaty subject to the advice and consent of the Senate.

SA 1740. Mr. LEAHY (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OWNERSHIP AND ASSIGNMENT OF PATENTS.

Section 261 of title 35, United States Code, is amended—

(1) by striking the first undesignated paragraph and inserting the following:

''(a) IN GENERAL.—

''(1) ATTRIBUTES OF PERSONAL PROPERTY.—Subject to the provisions of this title, patents shall have the attributes of personal property.

''(2) REGISTER OF INTERESTS.—The Patent and Trademark Office shall—

''(A) maintain a register of interests in patents and applications for patents;

''(B) record any document related thereto upon request;

''(C) not later than 90 days after the date on which a patent, or any interest in a patent of not less than 10 percent (in the aggregate), is assigned to any foreign entity or person, require the recording of that assignment; and

''(D) maintain a publicly accessible database that is digitally searchable by fields based on patent number, assignee, assignor, assignment date, and other criteria established by the Office.

''(3) EFFECT OF FAILURE TO COMPLY.—No party may recover, for infringement of a patent in any litigation, any monetary damages for any period in which ownership with respect to the patent is not properly recorded in accordance with the requirements of this subsection.'';

(2) in the first undesignated paragraph following subsection (a), as so designated by paragraph (1) of this section, by striking ''Applications'' and inserting the following:

''(b) APPLICATIONS.—Applications'';

(3) in the first undesignated paragraph following subsection (b), as so designated by paragraph (2) of this section, by striking ''A certificate'' and inserting the following:

''(c) CERTIFICATE OF ACKNOWLEDGMENT.—A certificate''; and

(4) in the first undesignated paragraph following subsection (c), as so designated by paragraph (3) of this section, by striking ''An interest'' and inserting the following:

''(d) EFFECT OF ASSIGNMENT.—An interest''.

SA 1741. Mr. LEAHY (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PATENTS.

(a) IN GENERAL.—Chapter 30 of title 35, United States Code, is amended—

(1) in section 302, in the first sentence, by inserting ''or on the basis of credible evidence that any such claim was obtained through fraud'' after ''section 301'';

(2) in section 303—

(A) in subsection (a)—

(i) in the first sentence, by inserting ''or enforceability'' after ''patentability''; and

(ii) in the second sentence, by inserting '', or a substantial new question of enforceability is raised by credible evidence of fraud,'' after ''patents and publications''; and

(B) in subsection (c), in the first sentence, by inserting ''or enforceability'' after ''patentability'';

(3) in section 304, in the first sentence, by inserting ''or enforceability'' after ''patentability''; and

(4) in section 307—

(A) in the section heading, by inserting ''**unenforceability,**'' after ''**unpatentability,**''; and

(B) in subsection (a), by inserting ''or unenforceable'' after ''unpatentable''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 30 of title 35, United States Code, is amended by striking the item relating to section 307 and inserting the following:

''307. Certificate of patentability, unpatentability, unenforceability, and claim cancellation.''.

SA 1742. Ms. SMITH (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division F, insert the following:

SEC. 61___. ESSENTIAL GENERIC ANTIBIOTIC PROGRAM.

(a) GRANT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a program to provide grants to manufacturers of essential generic antibiotic drugs, or the active pharmaceutical ingredient or articles used as components of such drug, to support activities described in paragraph (3).

(2) ELIGIBLE ENTITIES.—The Secretary shall award grants under this subsection to not more than 3 manufacturers of an essential generic antibiotic drug. Each such recipient shall be a manufacturer that—

(A) has implemented and maintains an effective quality management system, under parts 210 and 211 of title 21, Code of Federal Regulations (or any successor regulations);

(B) has a strong record of compliance with the requirements of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.);

(C) commits to using advanced manufacturing in its domestic manufacturing operations; and

(D) has existing manufacturing facilities and operations in the United States.

(3) USE OF FUNDS.—A recipient of a grant under this subsection may use such grant funds to—

(A) with respect to manufacturing an essential generic antibiotic drug—

(i) expand, upgrade, or recommission an existing manufacturing facility located in the United States; or

(ii) construct a new manufacturing facility in the United States; and

(B) manufacture essential generic antibiotic drugs using advanced manufacturing techniques.

(b) USE OF FUNDS TO PURCHASE ESSENTIAL GENERIC ANTIBIOTIC DRUGS FOR STOCKPILING.—The Secretary may use amounts appropriated under this section to purchase, store, stockpile, or disposition essential generic antibiotic drugs manufactured in the United States.

(c) DEFINITIONS.—For purposes of this section:

(1) ACTIVE PHARMACEUTICAL INGREDIENT.—The term ''active pharmaceutical ingredient'' has the meaning given such term in section 744A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41).

(2) ADVANCED MANUFACTURING.—The term ''advanced manufacturing'' means an approach for the manufacturing of drugs that incorporates novel technology, or uses an established technique or technology in a new or innovative way, that enhances drug product quality or improves the manufacturing process.

(3) ESSENTIAL GENERIC ANTIBIOTIC DRUG.—The term ''essential generic antibiotic drug'' means an antibacterial or antifungal drug approved by the Food and Drug Administration under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) that the Secretary determines to be medically necessary to have available at all times in an amount adequate to serve patient needs, including beta-lactams (including penicillin and cephalosporin derivatives) and non-beta lactams (including tetracycline and aminoglycoside derivatives).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(5) UNITED STATES.—The term ''United States'' means the 50 States, the District of Columbia, territories, and Tribal lands.

(d) FUNDING.—For purposes of carrying out this section (other than subsection (e)), there is appropriated, out of amounts in the Treasury not otherwise appropriated, $500,000,000 for fiscal year 2021, to remain available through September 30, 2023.

(e) STUDY AND REPORT.—

(1) IN GENERAL.—The Secretary shall enter into a contract with an entity under which such entity carries out a study on the manufacture of essential generic antibiotic drugs and issues a report that includes—

(A) recommendations about which antibiotics the Secretary should prioritize for purposes of the program under subsection (a), based on factors that include necessity of use, vulnerability to foreign supply chain disruptions, and availability of alternatives; and

(B) the expected effect of increased domestic manufacturing of drugs on drug costs to consumers.

(2) AUTHORIZATION.—To carry out this subsection, there is authorized to be appropriated $2,000,000 for fiscal year 2021, to remain available until September 30, 2022.

SA 1743. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science

Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MODIFICATIONS TO SBIR AND STTR PROGRAMS.

(b) INCLUSION OF TESTING AND EVALUATION IN THE DEFINITION OF RESEARCH AND DEVELOPMENT.—Section 9(e)(5) of the Small Business Act (15 U.S.C. 638(e)(5)) is amended to read as follows:

''(5) the term 'research' or 'research and development' means—

''(A) any activity which is—

''(i) a systematic, intensive study directed toward greater knowledge or understanding of the subject studied;

''(ii) a systematic study directed specifically toward applying new knowledge to meet a recognized need; or

''(iii) a systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements; and

''(B) any testing or evaluation in connection with such an activity;''.

(c) INCLUSION OF SMALL BUSINESS INVESTMENT COMPANIES IN SBIR AND STTR.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) by striking ''or private equity firm investment'' each place that term appears and inserting ''private equity firm, or SBIC investment'';

(2) by striking ''or private equity firms'' each place that term appears and inserting ''private equity firms, or SBICs'';

(3) in subsection (e)—

(A) in paragraph (13)(B), by striking ''and'' at the end;

(B) in paragraph (14), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(15) the term 'SBIC' means a small business investment company as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662).''; and

(4) in the heading for subsection (dd), by striking ''OR PRIVATE EQUITY FIRMS'' and inserting ''PRIVATE EQUITY FIRMS, OR SBICS''.

(d) CALCULATION OF LEVERAGE OF SMALL BUSINESS INVESTMENT COMPANIES THAT INVEST IN SBIR OR STTR PARTICIPANTS.—Section 303(b)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)) is amended by adding at the end the following:

''(E) INVESTMENTS IN SBIR AND STTR PARTICIPANTS.—

''(i) DEFINITIONS.—In this subparagraph—

''(I) the term 'cost' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a); and

''(II) the term 'SBIR or STTR participant' means a small business concern that receives contracts or grants pursuant to section 9 of the Small Business Act (15 U.S.C. 638).

''(ii) EXCLUSION.—Subject to clause (iii), in calculating the outstanding leverage of a company for purposes of subparagraph (A), the Administrator shall exclude the amount of any investment made in a SBIR or STTR participant, if such investment is made in the first fiscal year after the date of enactment of this subparagraph or any fiscal year thereafter by a company licensed during the applicable fiscal year.

''(iii) LIMITATIONS.—

''(I) AMOUNT OF EXCLUSION.—The amount excluded under clause (i) for a company shall not exceed 33 percent of the private capital of that company.

''(II) MAXIMUM INVESTMENT.—A company shall not make an investment in any 1 SBIR or STTR participant in an amount equal to more than 20 percent of the private capital of that company.

''(III) OTHER TERMS.—The exclusion of amounts under clause (i) shall be subject to such terms as the Administrator may impose to ensure that there is no cost with respect to purchasing or guaranteeing any debenture involved.''.

(e) ENCOURAGING PARTICIPATION IN THE MENTOR-PROTEGE PROGRAM.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(vv) ENCOURAGING PARTICIPATION IN THE MENTOR-PROTEGE PROGRAM.—The Administrator shall provide an increase to the past performance rating of any small business concern that has participated in the SBIR or STTR program that serves as a mentor under section 45 to a small business concern that seeks to participate in the SBIR or STTR program.''.

(f) ANNUAL MEETING FOR FEDERAL AGENCIES WITH A SBIR OR STTR PROGRAM.—

(1) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by subsection (e), is amended by adding at the end the following:

''(ww) ANNUAL MEETING.—

''(1) IN GENERAL.—The head of each Federal agency required to have a program under this section (or a designee) and the Administrator (or a designee) shall meet annually to discuss methods—

''(A) to improve the collection of data under this section;

''(B) to improve the reporting of data to the Administrator under this section;

''(C) to make the application processes for programs under this section more efficient; and

''(D) to increase participation in the programs under this section.

''(2) REPORTING.—Not later than 60 days after the date on which an annual meeting required under paragraph (1) is held, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives a report on the findings of the meeting and recommendations on how to implement changes to programs under this section.''.

(2) FUNDING FOR ANNUAL MEETING.—Section 9(mm)(1) of the Small Business Act (15 U.S.C. 638(mm)(1)) is amended—

(A) in subparagraph (J), by striking the ''and'' at the end;

(B) in subparagraph (K), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(L) the annual meeting required under subsection (ww).''.

(g) INCREASING PARTICIPATION OF UNDERSERVED POPULATIONS IN THE SBIR AND STTR PROGRAMS.—

(1) IN GENERAL.—Section 9(mm)(2) of the Small Business Act (15 U.S.C. 638(mm)(2)) is amended to read as follows:

''(2) OUTREACH AND TECHNICAL ASSISTANCE.—A Federal agency participating in the program under this subsection shall use a portion of the funds authorized for uses under paragraph (1) to carry out the policy directive required under subsection (j)(2)(F) and to increase the participation of States with respect to which a low level of SBIR awards have historically been awarded.''.

(2) CONFORMING AMENDMENT.—Section 9(mm)(6) of the Small Business Act (15 U.S.C. 638(mm)(6)) is amended by striking ''paragraph (2)(A) and any use of the waiver authority under paragraph (2)(B)'' and inserting ''paragraph (2)''.

SA 1744. Mrs. SHAHEEN (for herself, Mr. MORAN, Mr. ROUNDS, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS ACCORDING TO CERTAIN CRITERIA.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

''SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED ITEM.—The term 'covered item' means any of the following:

''(A) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:

''(i) Soft ballistic panels.

''(ii) Hard ballistic plates.

''(iii) Concealed armor carriers worn under a uniform.

''(iv) External armor carriers worn over a uniform.

''(B) Helmets that provide ballistic protection and other head protection and components.

''(C) Protective eyewear.

''(D) Rain gear, cold weather gear, other environmental and flame-resistant clothing.

''(E) Footwear provided as part of a uniform.

''(F) Uniforms.

''(G) Bags and packs.

''(H) Holsters and tactical pouches.

''(I) Patches, insignia, and embellishments.

''(J) Respiratory protective masks.

''(K) Chemical, biological, radiological, and nuclear protective gear.

''(L) Hearing protection equipment.

''(M) Powered air purifying respirators and required filters.

''(N) Disposable and reusable surgical and isolation gowns.

''(O) Gloves.

''(P) Face shields.

''(Q) Head and foot coverings.

''(R) Sanitizing and disinfecting wipes.

''(S) Privacy curtains.

''(T) Beds and bedding.

''(U) Testing swabs.

''(V) Gauze and bandages.

''(W) Tents and tarpaulins.

''(X) Any other critical safety item as determined appropriate by the Secretary.

''(2) FRONTLINE OPERATIONAL COMPONENT.—The term 'frontline operational component' means any of the following components of the Department:

''(A) U.S. Customs and Border Protection.

''(B) U.S. Immigration and Customs Enforcement.

''(C) The United States Secret Service.

''(D) The Transportation Security Administration.

''(E) The Coast Guard.

''(F) The Federal Protective Service.

''(G) The Federal Emergency Management Agency.

''(H) The Federal Law Enforcement Training Centers.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:

''(A) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

''(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

''(i) is an entity registered with the System for Award Management (or successor system) administered by the General Services Administration; and

''(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriated by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

''(C) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

''(i) store such covered item with such insignia or such insignia in a locked area;

''(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

''(iii) destroy any such defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

''(2) WAIVER.—

''(A) IN GENERAL.—In the case of a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.), the Secretary may waive a requirement in subparagraph (A), (B) or (C) of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets the requirement.

''(B) NOTICE.—Not later than 60 days after the date on which the Secretary determines a waiver under subparagraph (A) is necessary, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include—

''(i) identification of the national emergency declared by the President;

''(ii) identification of the covered item for which the Secretary intends to issue the waiver; and

''(iii) a description of the demand for the covered item and corresponding lack of supply from contractors able to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

''(c) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

''(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a report on instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

''(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 180 days after the date of enactment of this section.''.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of allowances provided to employees of frontline operational components (as defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall—

(A) be informed by a Department-wide survey of employees from across the Department who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention; and

(B) consider increasing by 25 percent, at minimum, the uniform allowance for first year employees and by 50 percent, at minimum, the annual allowance for all other employees.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

''Sec. 836. Requirements to buy certain items related to national security interests.''.

SA 1745. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

TITLE VI—COMBATING SYNTHETIC DRUGS

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Fighting Emerging Narcotics Through Additional Nations to Yield Lasting Results Act'' or ''FENTANYL Results Act''.

SEC. 3602. PRIORITIZATION OF EFFORTS OF THE DEPARTMENT OF STATE TO COMBAT INTERNATIONAL TRAFFICKING IN COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—The Secretary of State shall prioritize efforts of the Department of State to combat international trafficking in covered synthetic drugs by carrying out programs and activities to include the following:

(1) Supporting increased data collection by the United States and foreign countries through increased drug use surveys among populations, increased use of wastewater testing where appropriate, and multilateral sharing of that data.

(2) Engaging in increased consultation and partnership with international drug agencies, including the European Monitoring Centre for Drugs and Drug Addiction, and regulatory agencies in foreign countries.

(3) Carrying out the program to provide assistance to build the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section 3603.

(4) Carrying out exchange programs for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of narcotics and other drugs, as required by section 3604.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this section.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

SEC. 3603. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF FOREIGN LAW ENFORCEMENT AGENCIES WITH RESPECT TO COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), the Secretary of State shall establish a program to provide assistance to build the capacity of law enforcement agencies of the countries described in subsection (c) to help such agencies to identify, track, and improve their forensics detection capabilities with respect to covered synthetic drugs.

(b) PRIORITY.—The Secretary of State shall prioritize assistance under subsection (a) among those countries described in subsection (c) in which such assistance would have the most impact in reducing illicit use of covered synthetic drugs in the United States.

(c) COUNTRIES DESCRIBED.—The foreign countries described in this subsection are—

(1) countries that are producers of covered synthetic drugs;

(2) countries whose pharmaceutical and chemical industries are known to be exploited for development or procurement of precursors of covered synthetic drugs; or

(3) major drug-transit countries as defined by the President.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $4,000,000 for each of the fiscal years 2022 through 2026.

Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. 3604. EXCHANGE PROGRAM FOR GOVERNMENTAL AND NONGOVERNMENTAL PERSONNEL TO PROVIDE EDUCATIONAL AND PROFESSIONAL DEVELOPMENT ON DEMAND REDUCTION MATTERS RELATING TO ILLICIT USE OF NARCOTICS AND OTHER DRUGS.

(a) IN GENERAL.—The Secretary of State shall establish or continue and strengthen, as appropriate, an exchange program for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of narcotics and other drugs.

(b) PROGRAM REQUIREMENTS.—The program required by subsection (a)—

(1) shall be limited to individuals who have expertise and experience in matters described in subsection (a);

(2) in the case of inbound exchanges, may be carried out as part of exchange programs and international visitor programs administered by the Bureau of Educational and Cultural Affairs of the Department of State, including the International Visitor Leadership Program, in consultation or coordination with the Bureau of International Narcotics and Law Enforcement Affairs; and

(3) shall include outbound exchanges for governmental or nongovernmental personnel in the United States.

(c) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $1,000,000 for each of fiscal years 2022 through 2026. Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. 3605. AMENDMENTS TO INTERNATIONAL NARCOTICS CONTROL PROGRAM.

(a) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) SYNTHETIC OPIOIDS AND NEW PSYCHOACTIVE SUBSTANCES.—

''(A) SYNTHETIC OPIOIDS.—Information that contains an assessment of the countries significantly involved in the manufacture, production, or transshipment of synthetic opioids, including fentanyl and fentanyl analogues, to include the following:

''(i) The scale of legal domestic production and any available information on the number of manufacturers and producers of such opioids in such countries.

''(ii) Information on any law enforcement assessments of the scale of illegal production, including a description of the capacity of illegal laboratories to produce such opioids.

''(iii) The types of inputs used and a description of the primary methods of synthesis employed by illegal producers of such opioids.

''(iv) An assessment of the policies of such countries to regulate licit manufacture and interdict illicit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies' implementation.

''(B) NEW PSYCHOACTIVE SUBSTANCES.—Information on, to the extent practicable, any policies of responding to new psychoactive substances (as such term is defined in section 3607 of the FENTANYL Results Act), to include the following:

''(i) Which governments have articulated policies on scheduling of such substances.

''(ii) Any data on impacts of such policies and other responses to such substances.

''(iii) An assessment of any policies the United States could adopt to improve its response to new psychoactive substances.''.

(b) DEFINITION OF MAJOR ILLICIT DRUG PRODUCING COUNTRY.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) by striking ''means a country in which—'' and inserting the following: ''means—

''(A) a country in which—'';

(B) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and moving such clauses, as so redesignated, two ems to the right;

(C) in subparagraph (A)(iii), as redesignated by this paragraph, by striking the semicolon at the end and inserting ''; or''; and

(D) by adding at the end the following new subparagraph:

''(B) a country which is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States;''; and

(2) by amending paragraph (5) to read as follows:

''(5) the term 'major drug-transit country' means a country through which are transported illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States.''.

SEC. 3606. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should direct the United States Representative to the United Nations to use the voice and vote of the United States at the United Nations to advocate for more transparent assessments of countries by the International Narcotics Control Board; and

(2) bilateral, plurilateral, and multilateral international cooperation is essential to combating the trafficking of covered synthetic drugs.

SEC. 3607. DEFINITIONS.

In this title:

(1) The term ''covered synthetic drug'' means—

(A) a synthetic controlled substance (as defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6))), including fentanyl or a fentanyl analogue; or

(B) a new psychoactive substance.

(2) The term ''new psychoactive substance'' means a substance of abuse, or any preparation thereof, that—

(A) is not—

(i) included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or

(ii) controlled by the Single Convention on Narcotic Drugs, done at New York March 30, 1961, or the Convention on Psychotropic Substances, done at Vienna February 21, 1971;

(B) is new or has reemerged on the illicit market; and

(C) poses a threat to the public health and safety.

SA 1746. Mr. LUJÁN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 25___. NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) NNSA.—The term ''NNSA'' means the National Nuclear Security Administration.

(3) OFFICE.—The term ''Office'' means the joint program office established under subsection (b)(2).

(4) OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE.—The term ''Office of Intelligence and Counterintelligence'' means the Office of Intelligence and Counterintelligence of the Department.

(5) OFFICE OF SCIENCE.—The term ''Office of Science'' means the Office of Science of the Department.

(6) PROGRAM.—The term ''Program'' means the National Laboratory Biotechnology Program established under subsection (b)(1).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a National Laboratory Biotechnology Program to integrate the resources of the Department, including the Office of Science, the Office of Intelligence and Counterintelligence, and the NNSA, to provide research, development, test and evaluation, and response capabilities to respond to—

(A) long-term biotechnology threats facing the United States; and

(B) any remaining threats posed by COVID–19.

(2) JOINT PROGRAM OFFICE.—To carry out the Program, the Secretary shall establish a joint program office, which shall comprise appropriate leadership from the Office of Science, the NNSA, and the National Laboratories.

(3) FUNCTIONS.—The Office shall—

(A) oversee the development and operation of major research activities of the Program;

(B) periodically review and recommend updates as necessary to Program policies and guidelines for the development and operation of major research activities;

(C) collaborate with the directors of research directorates of the Department, directors of National Laboratories, and other senior Department officials, as appropriate, to gain greater access to top researchers and new and potentially transformative ideas;

(D) enable access to broad scientific and technical expertise and resources that will lead to the deployment of innovative products, including through—

(i) research and development, including proof of concept, technical development, and compliance testing activities; and

(ii) early-stage product development, including through—

(I) computational modeling and simulation;

(II) molecular structural determination;

(III) genomic sequencing;

(IV) epidemiological and logistics support;

(V) knowledge discovery infrastructure and scalable protected data;

(VI) advanced manufacturing to address supply chain bottlenecks;

(VII) new capabilities for testing of clinical and nonclinical samples;

(VIII) understanding environmental fate and transport of viruses; and

(IX) discovery of potential therapeutics through computation and molecular structure determination;

(E) provide access to user facilities with advanced or unique equipment, services, materials, and other resources to perform research and testing;

(F) support technology transfer and related activities; and

(G) promote access and development across the Federal Government and to United States industry, including startup companies, of early applications of the technologies, innovations, and expertise beneficial to the public that are derived from Program activities.

(4) BIODEFENSE EXPERTISE.—

(A) IN GENERAL.—In carrying out the Program, the Office shall support research that harnesses the capabilities of the National Laboratories to address advanced biological threats of national security significance through assessments and research and development programs that—

(i) support the near- and long-term biodefense needs of the United States;

(ii) support the national security community in reducing uncertainty and risk;

(iii) enable greater access to top researchers and new and potentially transformative ideas for biodefense of human, animal, plant, environment, and infrastructure assets (including physical, cyber, and economic infrastructure); and

(iv) enable access to broad scientific and technical expertise and resources that will lead to the development and deployment of innovative biodefense assessments and solutions, including through—

(I) the accessing, monitoring, and evaluation of biological threats to reduce risk, including through analysis and prioritization of gaps and vulnerabilities across open-source and classified data;

(II) development of scientific and technical roadmaps—

(aa) to address gaps and vulnerabilities;

(bb) to inform analyses of technologies; and

(cc) to accelerate the application of unclassified research to classified applications; and

(III) demonstration activities to enable deployment, including—

(aa) threat signature development and validation;

(bb) automated anomaly detection using artificial intelligence and machine learning;

(cc) fate and transport dynamics for priority scenarios;

(dd) data curation, access, storage, and security at scale; and

(ee) risk assessment tools.

(B) RESOURCES.—The Secretary shall ensure that the Office is provided and uses sufficient resources to carry out subparagraph (A).

(5) STRENGTHENING INSTITUTIONAL RESEARCH AND PRIVATE PARTNERSHIPS.—

(A) IN GENERAL.—The Office shall, to the maximum extent practicable, promote cooperative research and development activities under the Program, including collaboration between appropriate industry and academic institutions to promote innovation and knowledge creation.

(B) ACCESSIBILITY OF INFORMATION.—The Office shall develop, maintain, and publicize information on scientific user facilities and capabilities supported by laboratories of the Department for combating biotechnology threats, which shall be accessible for use by individuals from academic institutions and industry.

(C) ACADEMIC PARTICIPATION.—The Office shall, to the maximum extent practicable—

(i) conduct outreach about internship opportunities relating to activities under the Program primarily to institutions of higher education and minority-serving institutions of higher education;

(ii) encourage the development of research collaborations between research-intensive universities and the institutions described in clause (i); and

(iii) provide traineeships at the institutions described in clause (i) to graduate students who pursue a masters or doctoral degree in an academic field relevant to research advanced under the Program.

(6) EVALUATION AND PLAN.—

(A) IN GENERAL.—Not less frequently than biennially, the Secretary shall—

(i) evaluate the activities carried out under the Program; and

(ii) develop a strategic research plan under the Program, which shall be made publicly available and submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(B) CLASSIFIED INFORMATION.—If the strategic research plan developed under subparagraph (A)(ii) contains classified information, the plan—

(i) shall be made publicly available and submitted to the committees of Congress described in subparagraph (A)(ii) in an unclassified format; and

(ii) may, as part of the submission to those committees of Congress only, include a classified annex containing any sensitive or classified information, as necessary.

(7) INTERAGENCY COLLABORATION.—The Office may collaborate with the Secretary of Homeland Security, the Secretary of Health and Human Services, the Secretary of Defense, and the heads of other appropriate Federal departments and agencies to advance biotechnology research and development under the Program.

(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

(A) $30,000,000 for fiscal year 2022;

(B) $40,000,000 for fiscal year 2023;

(C) $45,000,000 for fiscal year 2024; and

(D) $50,000,000 for each of fiscal years 2025 and 2026.

SA 1747. Mr. KING (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2303(c), add the following: ''The exemption authorized under this subsection may also include a categorical exemption for allied countries that appear on the list created pursuant to section 2309(a).''

At the end of title III of division B, add the following:

SEC. 2309. PRIORITIZATION AND PROTECTION OF INTERNATIONAL RESEARCH.

(a) LIST OF ALLIED COUNTRIES.—The Secretary of State, in consultation with the Director of the Office of Science and Technology Policy, the National Security Council, the Secretary of Energy, the Director of the National Science Foundation and the heads of other relevant agencies, shall create a list of allied countries with which joint international research and cooperation would advance United States national interests and advance scientific knowledge in key technology focus areas.

(b) ESTABLISHMENT OF SECURITY PROCEDURES.—The Secretary of State, in consultation with the individuals and entities listed in subsection (a), shall collaborate with similar entities in the countries appearing on the list created pursuant to subsection (a) to develop, coordinate, and agree to general security policies and procedures, consistent with the policies and procedures developed pursuant to sections 2304 and 2305, for governmental, academic, and private sector research, to prevent sensitive research from being disclosed to adversaries.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in consultation with the individuals and entities listed in subsection (a), and allied countries appearing on the list created pursuant to subsection (a), shall submit a report to Congress that identifies the most promising international research ventures that leverage resources and advance research in key technology focus areas.

SA 1748. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON FTC RULEMAKING RELATING TO UNFAIR METHODS OF COMPETITION.

(a) IN GENERAL.—On and after the date of enactment of this Act, the Federal Trade Commission may not promulgate any rule relating to unfair methods of competition.

(b) CONFORMING AMENDMENT.—Section 18(a)(2) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(2)) is amended by striking the second sentence.

SA 1749. Ms. ERNST (for herself, Mr. MARSHALL, Mr. INHOFE, Mr. CRAMER, and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. STUDY ON ELECTRIC VEHICLE EMISSIONS.

The Secretary of Energy or a National Laboratory shall conduct a study on the emissions of the full lifecycle of an electric vehicle, from battery production to disposal, including—

(1) the emissions associated with the electricity generated to power the vehicle throughout its life;

(2) the critical minerals used in the batteries; and

(3) the mineral refining and transport.

SA 1750. Mr. RUBIO (for himself, Mr. SCOTT of Florida, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 439, strike line 10, and all that follows through page 440, line 10, and insert the following:

(d) EXCLUDED SPECIES.—It shall not be a violation of subsection (b) for any person to possess, transport, offer for sale, sell, process, or purchase any fresh, frozen, raw or otherwise processed fin or tail from any stock of the following species:

(1) Mustelus canis (smooth dogfish).
(2) Squalus acanthias (spiny dogfish).
(3) Rhizoprionodon terraenovae (Atlantic sharpnose).
(4) Carcharhinus acronotus (Blacknose).
(5) Carcharhinus limbatus (Blacktip).
(6) Carcharhinus longimanus (Oceanic whitetip).
(7) Carcharhinus leucas (Bull).
(8) Carcharhinus isodon (Finetooth).
(9) Mustelus norrisi (Florida smoothhound).
(10) Mustelus sinusmexicanus (Gulf smoothhound).
(11) Sphyrna mokarran (great Hammerhead).
(12) Sphyrna lewini (scalloped Hammerhead).
(13) Sphyrna zygaena (smooth Hammerhead).
(14) Negaprion brevirostris (Lemon).
(15) Ginglymostoma cirratum (Nurse).
(16) Lamna nasus (Porbeagle).
(17) Isurus oxyrinchus (Shortfin Mako).
(18) Carcharhinus brevipinna (Spinner).
(19) Alopias vulpinus (Thresher).
(20) Galeocerdo cuvier (Tiger).
(21) Carcharhinus plumbeus (Sandbar).

SA 1751. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:

SEC. 51____. MARKET INDEXES.

(a) IN GENERAL.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 8(b) (15 U.S.C. 80a–8(b))—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(6) a disclosure of—

''(A) whether the registrant intends to track the returns of, or benchmark against, a specific index of securities; and

''(B) if the registrant intends to track the returns of, or benchmark against, a specific index of securities—

''(i) the identity of the index provider;

''(ii) any involvement of the registrant in designing the index;

''(iii) any ability of the registrant to influence the construction or composition of the index; and

''(iv) any licensing fees paid by the registrant to the index provider.'';

(2) in section 13 (15 U.S.C. 80a–13)—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following:

''(c) CHANGE IN INVESTMENT POLICY RELATING TO INDEXING.—

''(1) IN GENERAL.—With respect to a registered investment company that tracks the returns of, or benchmarks against, a specific index of securities, if a deviation with respect to that index occurs such that the deviation would be permitted under subsection (a)(3) if made directly by the investment company only if authorized by the vote of a majority of the outstanding voting securities of the investment company, the investment company may not continue to so track, or benchmark against, the index, unless so authorized by such a vote or by a vote by the board of directors of the investment company.

''(2) RULE OF CONSTRUCTION.—For the purposes of paragraph (1), a deviation with respect to an index that requires a vote, as described in that paragraph, includes such a deviation that adds new, or increases the weighting of, securities—

''(A) of issuers that are headquartered or incorporated in the People's Republic of China; or

''(B) that are listed on exchanges in the People's Republic of China.''; and

(3) in section 30 (15 U.S.C. 80a–29)—

(A) in subsection (b)(1) , by striking ''this title; and'' and inserting the following: ''this title, which shall include—

''(A) information regarding whether the registered investment company tracks the returns of, or benchmarks against (or intends to track, or benchmark against), a specific index of securities; and

''(B) if the registered investment company engages in, or intends to engage in, the action described in subparagraph (A), the information described in section 8(b)(6)(B) with respect to the index described in subparagraph (A) of this paragraph; and''; and

(B) by adding at the end the following:

''(k) ANNUAL DISCLOSURE REGARDING CHINESE SECURITIES.—

''(1) IN GENERAL.—Each registered investment company shall annually transmit to the stockholders of the investment company a report containing information regarding, with respect to any security owned by the investment company that is issued by an issuer that is headquartered or incorporated in the People's Republic of China or listed on an exchange in the People's Republic of China—

''(A) the percentage of the securities of that issuer that are owned by governmental entities in the People's Republic of China;

''(B) whether the entities described in subparagraph (A) have a controlling financial interest with respect to the issuer;

''(C) the name of any official of the Chinese Communist Party who is a member of the board of directors of—

''(i) the issuer; or

''(ii) the operating entity with respect to the issuer;

''(D) whether the articles of incorporation of the issuer (or equivalent organizing document) contains any charter of the Chinese Communist Party, including the text of any such charter; and

''(E) whether the investment company was unable to obtain any of the information required under any of subparagraphs (A) through (D).

''(2) INCLUSION PERMITTED.—A report that a registered investment company is required to transmit under paragraph (1) may be included in a report that the investment company is required to transmit under subsection (e).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)) is amended, in the matter preceding paragraph (1), by striking ''section 13(c)(1)(B)'' and inserting ''section 13(d)(1)(B)''.

(c) UPDATES TO RULES.—Not later than 1 year after the date of enactment of this Act, the Securities and Exchange Commission shall make any updates to the rules of the Commission that are necessary as a result of this section and the amendments made by this section.

SA 1752. Mr. RUBIO (for himself, Mr. COTTON, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:

SEC. 51____. AMERICAN FINANCIAL MARKETS INTEGRITY AND SECURITY.

(a) PROHIBITIONS RELATING TO CERTAIN COMMUNIST CHINESE MILITARY COMPANIES.—

(1) DEFINITIONS.—In this subsection:

(A) COMMISSION.—The term ''Commission'' means the Securities and Exchange Commission.

(B) CONTROL; INSURANCE COMPANY.—The terms ''control'' and ''insurance company'' have the meanings given the terms in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

(C) COVERED ENTITY.—

(i) IN GENERAL.—The term ''covered entity''—

(I) means an entity on—

(aa) the list of Communist Chinese military companies required by section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note); or

(bb) the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the title 15, Code of Federal Regulations; and

(II) includes a parent, subsidiary, or affiliate of, or an entity controlled by, an entity described in subclause (I).

(ii) GRACE PERIOD.—For the purposes of this section, and the amendments made by this section, an entity shall be considered to be a covered entity beginning on the date that is 1 year after the date on which the entity first qualifies under the applicable provision of clause (i).

(D) EXCHANGE; SECURITY.—The terms ''exchange'' and ''security'' have the meanings given those terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(2) PROHIBITIONS.—

(A) LISTING ON EXCHANGE.—Beginning on the date that is 1 year after the date of enactment of this Act, the Commission shall prohibit a covered entity from offering to sell or selling on an exchange (or through any other method that is within the jurisdiction of the Commission to regulate, including through the method of trading that is commonly referred to as the ''over-the-counter'' trading of securities) securities issued by the covered entity, including pursuant to an exemption to section 5 of the Securities Act of 1933 (15 U.S.C. 77e).

(B) INVESTMENTS; LIMITATION ON ACTIONS.—

(i) IN GENERAL.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(I) in section 12(d) (15 U.S.C. 80a–12(d)), by adding at the end the following:

''(4)(A) It shall be unlawful for any investment company, or any person that would be an investment company but for the application of paragraph (1) or (7) of section 3(c), to invest in a covered entity.

''(B) In this paragraph, the term 'covered entity' has the meaning given the term in section 2(a) of the American Financial Markets Integrity and Security Act.''; and

(II) in section 13(c)(1) (15 U.S.C. 80a–13(c)(1))—

(aa) in subparagraph (A), by striking ''or'' at the end;

(bb) in subparagraph (B), by striking the period at the end and inserting ''or''; and

(cc) by adding at the end the following:

''(C) are covered entities, as that term is defined in section 12(d)(4)(B).''.

(ii) EFFECTIVE DATE.—The amendments made by clause (i) shall take effect on the date that is 1 year after the date of enactment of this Act.

(C) FEDERAL FUNDS.—

(i) IN GENERAL.—Except as provided in clause (ii), on and after the date that is 180 days after the date of enactment of this Act, no Federal funds may be used to enter into, extend, or renew a contract or purchasing agreement with a covered entity.

(ii) WAIVER.—The head of a Federal agency may issue a national security waiver to the prohibition in clause (i) for a period of not more than 2 years with respect to a covered entity if the agency head submits to Congress a notification that includes—

(I) a written justification for the waiver; and

(II) a plan for a phase-out of the goods or services provided by the covered entity.

(D) INVESTMENTS BY INSURANCE COMPANIES.—

(i) IN GENERAL.—On and after the date of enactment of this Act, an insurance company may not invest in a covered entity.

(ii) CERTIFICATION OF COMPLIANCE.—

(I) IN GENERAL.—Each insurance company shall, on an annual basis, submit to the Secretary of the Treasury a certification of compliance with clause (i).

(II) RESPONSIBILITIES OF THE SECRETARY.—The Secretary of the Treasury shall create a form for the submission required under subclause (I) in such a manner that minimizes the reporting burden on an insurance company making the submission.

(iii) SHARING INFORMATION.—The Secretary of the Treasury, acting through the Federal Insurance Office, shall share the information received under clause (ii) and coordinate verification of compliance with State insurance offices.

(3) QUALIFIED TRUSTS, ETC.—

(A) IN GENERAL.—Subsection (a) of section 401 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (38) the following new paragraph:

''(39) PROHIBITED INVESTMENTS.—A trust which is part of a plan shall not be treated as a qualified trust under this subsection unless the plan provides that no part of the plan's assets will be invested in any covered entity (as defined in section 12(d)(6)(B) of the Investment Company Act of 1940).''.

(B) IRAS.—Paragraph (3) of section 408(a) of such Code is amended by striking ''contracts'' and inserting ''contracts or in any covered entity (as defined in section 12(d)(6)(B) of the Investment Company Act of 1940)''.

(C) FIDUCIARY DUTY.—Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following new subsection:

''(f) PROHIBITED INVESTMENTS.—No fiduciary shall cause any assets of a plan to be invested in any covered entity (as defined in section 12(d)(6)(B) of the Investment Company Act of 1940 (15 U.S.C. 80a–12(d)(6)(B))).''.

(D) EFFECTIVE DATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the amendments made by this paragraph shall apply to plan years beginning after the date which is 180 days after the date of the enactment of this Act.

(ii) PLAN AMENDMENTS.—If clause (iii) applies to any retirement plan or contract amendment—

(I) such plan or contract shall not fail to be treated as being operated in accordance with the terms of the plan during the period described in clause (iii)(II) solely because the plan operates in accordance with the amendments made by this paragraph, and

(II) except as provided by the Secretary of the Treasury (or the Secretary's delegate), such plan or contract shall not fail to meet the requirements of the Internal Revenue Code of 1986 or the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(iii) AMENDMENTS TO WHICH PARAGRAPH APPLIES.—

(I) IN GENERAL.—This subparagraph shall apply to any amendment to any plan or annuity contract which—

(aa) is made pursuant to the provisions of this subsection, and

(bb) is made on or before the last day of the first plan year beginning on or after the date which is 2 years after the date of the enactment of this Act (4 years after such date of enactment, in the case of a governmental plan).

(II) CONDITIONS.—This subparagraph shall not apply to any amendment unless—

(aa) during the period beginning on the date which is 180 days after the date of the enactment of this Act, and ending on the date described in subclause (I)(bb) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(bb) such plan or contract amendment applies retroactively for such period.

(iv) SUBSEQUENT AMENDMENTS.—Rules similar to the rules of clauses (ii) and (iii) shall apply in the case of any amendment to any plan or annuity contract made pursuant to any update of the list of Communist Chinese military companies required by section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note) which is made after the effective date of the amendments made by this paragraph.

(b) MODIFICATION OF REQUIREMENTS FOR LIST OF COMMUNIST CHINESE MILITARY COMPANIES.—Section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) REVISIONS TO THE LIST.—

''(A) ADDITIONS.—The Secretary of Defense, the Secretary of Commerce, or the Director of National Intelligence may add a person to the list required by paragraph (1) at any time.

''(B) REMOVALS.—A person may be removed from the list required by paragraph (1) if the Secretary of Defense, the Secretary of Commerce, and the Director of National Intelligence agree to remove the person from the list.

''(C) SUBMISSION OF UPDATES TO CONGRESS.—Not later than February 1 of each year, the Secretary of Defense shall submit a version of the list required in paragraph (1), updated to include any additions or removals under this paragraph, to the committees and officers specified in paragraph (1).'';

(2) by striking paragraph (3) and inserting the following:

''(3) CONSULTATION.—In carrying out paragraphs (1) and (2), the Secretary of Defense, the Secretary of Commerce, and the Director of National Intelligence shall consult with each other, the Attorney General, and the Director of the Federal Bureau of Investigation.''; and

(3) in paragraph (4), in the matter preceding subparagraph (A), by striking ''making the determination required by paragraph (1) and of carrying out paragraph (2)'' and inserting ''this section''.

(c) ANALYSIS OF FINANCIAL AMBITIONS OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) ANALYSIS REQUIRED.—The Director of the Office of Commercial and Economic Analysis of the Air Force shall conduct an analysis of—

(A) the strategic importance to the Government of the People's Republic of China of inflows of United States dollars through capital markets to the People's Republic of China;

(B) the methods by which that Government seeks to manage such inflows;

(C) how the inclusion of the securities of Chinese entities in stock or bond indexes affects such inflows and serves the financial ambitions of that Government; and

(D) how the listing of the securities of Chinese entities on exchanges in the United States assists in—

(i) meeting the strategic goals of that Government, including defense, surveillance, and intelligence goals; and

(ii) the fusion of the civilian and military components of that Government.

(2) SUBMISSION TO CONGRESS.—The Director of the Office of Commercial and Economic Analysis of the Air Force shall submit to Congress a report—

(A) setting forth the results of the analysis conducted under paragraph (1); and

(B) based on that analysis, making recommendations for best practices to mitigate any national security and economic risks to the United States relating to the financial ambitions of the Government of the People's Republic of China.

SA 1753. Mr. RUBIO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for

other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SMALL BUSINESS INVESTMENT COMPANY PROGRAM.

(a) IN GENERAL.—Part A of title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.) is amended—

(1) in section 302(a) (15 U.S.C. 682(a))—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) $20,000,000, adjusted every 5 years for inflation, with respect to each licensee authorized or seeking authority to sell bonds to Administration as a participating investment company under section 321.''; and

(2) by adding at the end the following:

''SEC. 321. SMALL BUSINESS AND DOMESTIC PRODUCTION RECOVERY INVESTMENT FACILITY.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE SMALL BUSINESS CONCERN.—The term 'eligible small business concern'—

''(A) means a small business concern that is a manufacturing business that is assigned a North American Industry Classification System code beginning with 31, 32, or 33 at the time at which the small business concern receives an investment from a participating investment company under the facility; and

''(B) does not include an entity described in section 7(a)(37)(A)(iv)(III) of the Small Business Act (15 U.S.C. 636(a)(37)(A)(iv)(III)).

''(2) FACILITY.—The term 'facility' means the facility established under subsection (b).

''(3) FUND.—The term 'Fund' means the fund established under subsection (h).

''(4) PARTICIPATING INVESTMENT COMPANY.—The term 'participating investment company' means a small business investment company approved under subsection (d) to participate in the facility.

''(5) PROTÉGÉ INVESTMENT COMPANY.—The term 'protégé investment company' means a small business investment company that—

''(A) is majority managed by new, inexperienced, or otherwise underrepresented fund managers; and

''(B) elects and is selected by the Administration to participate in the pathway-protégé program under subsection (g).

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

''(b) ESTABLISHMENT.—

''(1) FACILITY.—The Administrator shall establish and carry out a facility to increase resiliency in the manufacturing supply chain of eligible small business concerns by providing financial assistance to participating investment companies that facilitate equity financings to eligible small business concerns in accordance with this section.

''(2) ADMINISTRATION OF FACILITY.—The facility shall be administered by the Administrator acting through the Associate Administrator described in section 201.

''(c) APPLICATIONS.—

''(1) IN GENERAL.—Any small business investment company may submit to the Administrator an application to participate in the facility.

''(2) REQUIREMENTS FOR APPLICATION.—An application to participate in the facility shall include the following:

''(A) A business plan describing how the applicant intends to make successful equity investments in eligible small business concerns.

''(B) Information regarding the relevant investment qualifications and backgrounds of the individuals responsible for the management of the applicant.

''(C) A description of the extent to which the applicant meets the selection criteria under subsection (d)(2).

''(3) EXCEPTIONS TO APPLICATION FOR NEW LICENSEES.—Not later than 90 days after the date of enactment of this section, the Administrator shall reduce requirements for applicants applying to operate as a participating investment company under this section in order to encourage the participation of new small business investment companies in the facility under this section, which may include the requirements established under part 107 of title 13, Code of Federal Regulations, or any successor regulation, relating to—

''(A) the approval of initial management expenses;

''(B) the management ownership diversity requirement;

''(C) the disclosure of general compensatory practices and fee structures; or

''(D) any other requirement that the Administrator determines to be an obstacle to achieving the purposes described in this paragraph.

''(d) SELECTION OF PARTICIPATING INVESTMENT COMPANIES.—

''(1) DETERMINATION.—

''(A) IN GENERAL.—Except as provided in paragraph (3), not later than 60 days after the date on which the Administrator receives an application under subsection (c), the Administrator shall—

''(i) make a final determination to approve or disapprove such applicant to participate in the facility; and

''(ii) transmit the determination to the applicant in writing.

''(B) COMMITMENT AMOUNT.—Except as provided in paragraph (3), at the time of approval of an applicant, the Administrator shall make a determination of the amount of the commitment that may be awarded to the applicant under this section.

''(2) SELECTION CRITERIA.—In making a determination under paragraph (1), the Administrator shall consider—

''(A) the probability that the investment strategy of the applicant will successfully repay any financial assistance provided by the Administration, including the probability of a return significantly in excess thereof;

''(B) the probability that the investments made by the applicant will—

''(i) provide capital to eligible small business concerns; or

''(ii) create or preserve jobs in the United States;

''(C) the probability that the applicant will meet the objectives in the business plan of the applicant, including the financial goals, and, if applicable, the pathway-protégé program in accordance with subsection (g); and

''(D) the probability that the applicant will assist eligible small business concerns in achieving profitability.

''(3) APPROVAL OF PARTICIPATING INVESTMENT COMPANIES.—

''(A) PROVISIONAL APPROVAL.—

''(i) IN GENERAL.—Notwithstanding paragraph (1), with respect to an application submitted by an applicant to operate as a participating investment company under this section, the Administrator may provide provisional approval for the applicant in lieu of a final determination of approval and determination of the amount of the commitment under that paragraph.

''(ii) PURPOSE.—The purpose of a provisional approval under clause (i) is to—

''(I) encourage applications from investment companies with an investment mandate from the committed private market capital of the investment company that does not conform to the requirements described in this section at the time of application;

''(II) allow the applicant to more effectively raise capital commitments in the private markets by referencing the intent of the Administrator to award the applicant a commitment; and

''(III) allow the applicant to more precisely request the desired amount of commitment pending the securing of capital from private market investors.

''(iii) LIMIT ON PERIOD OF THE TIME.—The period between a provisional approval under clause (i) and the final determination of approval under paragraph (1) shall not exceed 12 months.

''(e) COMMITMENTS AND SBIC BONDS.—

''(1) IN GENERAL.—The Administrator may, out of amounts available in the Fund, purchase or commit to purchase from a participating investment company 1 or more accruing bonds that include equity features as described in this subsection.

''(2) BOND TERMS.—A bond purchased by the Administrator from a participating investment company under this subsection shall have the following terms and conditions:

''(A) TERM AND INTEREST.—

''(i) IN GENERAL.—The bond shall be issued for a term of not less than 15 years and shall bear interest at a rate determined by the Administrator of not more than 2 percent.

''(ii) ACCRUAL OF INTEREST.—Interest on the bond shall accrue and shall be payable in accordance with subparagraph (D).

''(iii) PREPAYMENT.—The bond shall be prepayable without penalty after the end of the 1-year period beginning on the date on which the bond was purchased.

''(B) PROFITS.—

''(i) IN GENERAL.—The Administration shall be entitled to receive a share of the profits net of any profit sharing performance compensation of the participating investment company equal to the quotient obtained by dividing—

''(I) one-third of the commitment that the participating investment company is approved for under subsection (d); by

''(II) the commitment approved under subsection (d) plus the regulatory capital of the participating investment company at the time of approval under that subsection.

''(ii) DETERMINATION OF PERCENTAGE.—The share to which the Administration is entitled under clause (i)—

''(I) shall be determined at the time of approval under subsection (d); and

''(II) without the approval of the Administration, shall not be revised, including to reflect subsequent distributions of profits, returns of capital, or repayments of bonds, or otherwise.

''(C) PROFIT SHARING PERFORMANCE COMPENSATION.—

''(i) RECEIPT BY ADMINISTRATION.—The Administration shall receive a share of profits of not more than 2 percent, which shall be deposited into the Fund and be available to make commitments under this subsection.

''(ii) RECEIPT BY MANAGERS.—The managers of the participating investment company may receive a maximum profit sharing performance compensation of 25 percent minus the share of profits paid to the Administration under clause (i).

''(D) PROHIBITION ON DISTRIBUTIONS.—No distributions on capital, including profit distributions, shall be made by the participating investment company to the investors or managers of the participating investment company until the Administration has received payment of all accrued interest on the bond committed under this section.

''(E) REPAYMENT OF PRINCIPAL.—Except as described in subparagraph (F), repayments of principal of the bond of a participating investment company shall be—

''(i) made at the same time as returns of private capital; and

''(ii) in amounts equal to the pro rata share of the Administration of the total amount being repaid or returned at such time.

''(F) LIQUIDATION OR DEFAULT.—Upon any liquidation event or default, as defined by the Administration, any unpaid principal or accrued interest on the bond shall—

''(i) have a priority over all equity of the participating investment company; and

''(ii) be paid before any return of equity or any other distributions to the investors or managers of the participating investment company.

''(3) AMOUNT OF COMMITMENTS AND PURCHASES.—

''(A) MAXIMUM AMOUNT.—The maximum amount of outstanding bonds and commitments to purchase bonds for any participating investment company under the facility shall be the lesser of—

''(i) twice the amount of the regulatory capital of the participating investment company; or

''(ii) $200,000,000.

''(4) COMMITMENT PROCESS.—Commitments by the Administration to purchase bonds under the facility shall remain available to be sold by a participating investment company until the end of the fourth fiscal year following the year in which the commitment is made, subject to review and approval by the Administration based on regulatory compliance, financial status, change in management, deviation from business plan, and such other limitations as may be determined by the Administration by regulation or otherwise.

''(5) COMMITMENT CONDITIONS.—

''(A) IN GENERAL.—As a condition of receiving a commitment under the facility, not less than 50 percent of amounts invested by the participating investment company shall be invested in eligible small business concerns.

''(B) EXAMINATIONS.—In addition to the matters set forth in section 310(c), the Administration shall examine each participating investment company in such detail so as to determine whether the participating investment company has complied with the requirements under this subsection.

''(f) DISTRIBUTIONS AND FEES.—

''(1) DISTRIBUTION REQUIREMENTS.—

''(A) DISTRIBUTIONS.—As a condition of receiving a commitment under the facility, a participating investment company shall make all distributions to the Administrator in the same form and in a manner as are made to investors, or otherwise at a time and in a manner consistent with regulations or policies of the Administration.

''(B) ALLOCATIONS.—A participating investment company shall make allocations of income, gain, loss, deduction, and credit to the Administrator with respect to any outstanding bonds as if the Administrator were an investor.

''(2) FEES.—The Administrator may not charge fees for participating investment companies other than examination fees that are consistent with the license of the participating investment company.

''(3) BIFURCATION.—Losses on bonds issued by participating investment companies shall not be offset by fees or any other charges on debenture small business investment companies.

''(g) PROTÉGÉ PROGRAM.—The Administrator shall establish a pathway-protégé program in which a protégé investment company may receive technical assistance and program support from a participating investment company on a voluntary basis and without penalty for non-participation.

''(h) LOSS LIMITING FUND.—

''(1) IN GENERAL.—There is established in the Treasury a fund for making commitments and purchasing bonds with equity features under the facility and receiving capital returned by participating investment companies.

''(2) USE OF FUNDS.—Amounts appropriated to the Fund or deposited in the Fund under paragraph (3) shall be available to the Administrator, without further appropriation, for making commitments and purchasing bonds under the facility and expenses and payments, excluding administrative expenses, relating to the operations of the Administrator under the facility.

''(3) DEPOSITING OF AMOUNTS.—

''(A) IN GENERAL.—All amounts received by the Administrator from a participating investment company relating to the facility, including any moneys, property, or assets derived by the Administrator from operations in connection with the facility, shall be deposited in the Fund.

''(B) PERIOD OF AVAILABILITY.—Amounts deposited under subparagraph (A) shall remain available until expended.

''(i) APPLICATION OF OTHER SECTIONS.—To the extent not inconsistent with requirements under this section, the Administrator may apply sections 309, 311, 312, 313, and 314 to activities under this section and an officer, director, employee, agent, or other participant in a participating investment company shall be subject to the requirements under such sections.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the first fiscal year beginning after the date of enactment of this part $10,000,000,000 to carry out the facility. Amounts appropriated pursuant to this subsection shall remain available until the end of the second fiscal year beginning after the date of enactment of this section.''.

(b) APPROVAL OF BANK-OWNED, NON-LEVERAGED APPLICANTS.—Section 301(c)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 681(c)(2)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking ''Within'' and inserting ''Except as provided in subparagraph (C), within''; and

(2) by adding at the end the following:

''(C) EXCEPTION FOR BANK-OWNED, NON-LEVERAGED APPLICANTS.—Notwithstanding subparagraph (B), not later than 45 days after the date on which the Administrator receives a completed application submitted by a bank-owned, non-leveraged applicant in accordance with this subsection and in accordance with such requirements as the Administrator may prescribe by regulation, the Administrator shall—

''(i) review the application in its entirety; and

''(ii)(I) approve the application and issue a license for such operation to the applicant if the requirements of this section are satisfied; or

''(II) disapprove the application and notify the applicant in writing of the disapproval.''.

(c) ELECTRONIC SUBMISSIONS.—Part A of title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.), as amended by subsection (a) of this section, is amended by adding at the end the following:

''SEC. 322. ELECTRONIC SUBMISSIONS.

''The Administration shall permit any document submitted under this title, or pursuant to a regulation carrying out this title, to be submitted electronically, including by permitting an electronic signature for any signature that is required on such a document.''.

SA 1754. Mr. RUBIO (for himself, Mrs. SHAHEEN, Mr. SCOTT of Florida, Mr. YOUNG, and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:

SEC. 51___. INVESTMENT OF THRIFT SAVINGS FUND.

Section 8438 of title 5, United States Code, is amended by adding at the end the following:

''(i)(1) In this subsection—

''(A) the term 'PCAOB' means the Public Company Accounting Oversight Board; and

''(B) the term 'registered public accounting firm' has the meaning given the term in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)).

''(2) Notwithstanding any other provision of this section, no sums in the Thrift Savings Fund may be invested in any security that is listed on an exchange in a jurisdiction in which the PCAOB is prevented from conducting a complete inspection or investigation of a registered public accounting firm under section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214) because of a position taken by an authority in that jurisdiction, as determined by the PCAOB.

''(3) The Board shall consult with the Securities and Exchange Commission on a biennial basis in order to ensure compliance with paragraph (2).''.

SA 1755. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, insert the following:

TITLE IV—MEDICAL MANUFACTURING ECONOMIC DEVELOPMENT

SEC. 6401. SHORT TITLE.

This title may be cited as the ''Medical Manufacturing, Economic Development, and Sustainability Act of 2021'' or the ''MMEDS Act of 2021''.

SEC. 6402. ECONOMICALLY DISTRESSED ZONES.

(a) IN GENERAL.—Chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

''Subchapter AA—Medical Product Manufacturing in Economically Distressed Zones

''SUBCHAPTER AA—MEDICAL PRODUCT MANUFACTURING IN ECONOMICALLY DISTRESSED ZONES

''Sec. 1400AA–1. Medical product manufacturing in economically distressed zone credit.

''Sec. 1400AA–2. Credit for economically distressed zone products and services acquired by domestic medical product manufacturers.

''Sec. 1400AA–3. Special rules to secure the national supply chain.

''Sec. 1400AA–4. Designation of economically distressed zones.

''SEC. 1400AA–1. MEDICAL PRODUCT MANUFACTURING IN ECONOMICALLY DISTRESSED ZONE CREDIT.

''(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by subtitle A for the taxable year an amount equal to 40 percent of the sum of—

''(1) the aggregate amount of the taxpayer's medical product manufacturing economically distressed zone wages for such taxable year,

''(2) the allocable employee fringe benefit expenses of the taxpayer for such taxable year, and

''(3) the depreciation and amortization allowances of the taxpayer for the taxable year with respect to qualified medical product manufacturing facility property.

''(b) DENIAL OF DOUBLE BENEFIT.—Any wages or other expenses taken into account in determining the credit under this section may not be taken into account in determining the credit under sections 41, and any other provision determined by the Secretary to be substantially similar.

''(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) ECONOMICALLY DISTRESSED ZONE WAGES.—

''(A) IN GENERAL.—The term 'economically distressed zone wages' means amounts paid or incurred for wages during the taxable year which are—

''(i) in connection with the active conduct of a trade or business of the taxpayer, and

''(ii) paid or incurred for an employee the principal place of employment of whom is in a qualified medical product manufacturing facility of such taxpayer.

''(B) LIMITATION ON AMOUNT OF WAGES TAKEN INTO ACCOUNT.—

''(i) IN GENERAL.—The amount of wages which may be taken into account under subparagraph (A) with respect to any employee for any taxable year shall not exceed the contribution and benefit base determined under section 230 of the Social Security Act for the calendar year in which such taxable year begins.

''(ii) TREATMENT OF PART-TIME EMPLOYEES, ETC.—If—

''(I) any employee is not employed by the taxpayer on a substantially full-time basis at all times during the taxable year, or

''(II) the principal place of employment of any employee is not within an economically distressed zone at all times during the taxable year,

the limitation applicable under clause (i) with respect to such employee shall be the appropriate portion (as determined by the Secretary) of the limitation which would otherwise be in effect under clause (i).

''(C) TREATMENT OF CERTAIN EMPLOYEES.—The term 'economically distressed zone wages' shall not include any wages paid to employees who are assigned by the employer to perform services for another person, unless the principal trade or business of the employer is to make employees available for temporary periods to other persons in return for compensation.

''(D) WAGES.—For purposes of this paragraph, the term 'wages' shall not include any amounts which are allocable employee fringe benefit expenses.

''(2) ALLOCABLE EMPLOYEE FRINGE BENEFIT EXPENSES.—

''(A) IN GENERAL.—The term 'allocable employee fringe benefit expenses' means the aggregate amount allowable as a deduction under this chapter to the taxpayer for the taxable year for the following amounts which are allocable to employment in a qualified medical product manufacturing facility:

''(i) Employer contributions under a stock bonus, pension, profit-sharing, or annuity plan.

''(ii) Employer-provided coverage under any accident or health plan for employees.

''(iii) The cost of life or disability insurance provided to employees.

''(B) ALLOCATION.—For purposes of subparagraph (A), an amount shall be treated as allocable to a qualified medical product manufacturing facility only if such amount is with respect to employment of an individual for services provided, and the principal place of employment of whom is, in such facility.

''(3) QUALIFIED MEDICAL PRODUCT MANUFACTURING FACILITY.—The term 'qualified medical product manufacturing facility' means any facility that—

''(A) researches and develops or produces medical products or essential components of medical products, and

''(B) is located within an economically distressed zone.

''(4) QUALIFIED MEDICAL PRODUCT MANUFACTURING FACILITY PROPERTY.—The term 'qualified medical product manufacturing facility property' means any property originally used in (or consisting of) a qualified medical product manufacturing facility if such property is directly connected to the research, development, or production of a medical product.

''(5) MEDICAL PRODUCT; ESSENTIAL COMPONENT.—

''(A) MEDICAL PRODUCT.—The term 'medical product' means—

''(i) a drug that—

''(I) is a prescription drug subject to regulation under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262);

''(II) is subject to regulation under section 802 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 382); or

''(III) is described in section 201(jj) of such Act (21 U.S.C. 321(jj)); or

''(ii) a device, as defined in section 201(h) of such Act (21 U.S.C. 321(h)).

''(B) ESSENTIAL COMPONENT.—The term 'essential component' means, with respect to a medical product—

''(i) an active pharmaceutical ingredient; or

''(ii) a protein, antibody, enzyme, hormone, or other organic material that is an active ingredient in a biological product.

''(6) AGGREGATION RULES.—

''(A) IN GENERAL.—For purposes of this section, members of an affiliated group shall be treated as a single taxpayer.

''(B) AFFILIATED GROUP.—The term 'affiliated group' means an affiliated group (as defined in section 1504(a), determined without regard to section 1504(b)(3)) one or more members of which are engaged in the active conduct of a trade or business within an economically distressed zone.

''SEC. 1400AA–2. CREDIT FOR ECONOMICALLY DISTRESSED ZONE PRODUCTS AND SERVICES ACQUIRED BY DOMESTIC MEDICAL PRODUCT MANUFACTURERS.

''(a) ALLOWANCE OF CREDIT.—In the case of an eligible medical product manufacturer, there shall be allowed as a credit against the tax imposed by subtitle A for the taxable year an amount equal to the applicable percentage of the aggregate amounts paid or incurred by the taxpayer during such taxable year for qualified products or services.

''(b) APPLICABLE PERCENTAGE.—For purposes of this section, the term applicable percentage means—

''(1) 30 percent in the case of amounts paid or incurred to persons not described in paragraph (2) or (3), and

''(2) 5 percent in the case of amounts paid or incurred to a related person.

''(c) ELIGIBLE MEDICAL PRODUCT MANUFACTURER.—For purposes of this section, the term 'eligible medical product manufacturer' means any person in the trade or business of producing medical products in the United States.

''(d) QUALIFIED PRODUCT OR SERVICE.—For purposes of this section, the term 'qualified product or service' means—

''(1) any product which is produced in an economically distressed zone and which is integrated into a medical product produced by the taxpayer, and

''(2) any service which is provided in an economically distressed zone and which is necessary to the production of a medical product by the taxpayer (including packaging).

''(e) RELATED PERSONS.—For purposes of this section, persons shall be treated as related to each other if such persons would be treated as a single employer under the regulations prescribed under section 52(b).

''(f) OTHER TERMS.—Terms used in this section which are also used in section 1400AA–1 shall have the same meaning as when used in such section.

''SEC. 1400AA–3. SPECIAL RULES TO SECURE THE NATIONAL SUPPLY CHAIN.

''(a) IN GENERAL.—In the case of a qualified repatriated pharmaceutical manufacturing facility, section 1400AA–1(a) shall be applied by substituting '60 percent' for '40 percent'.

''(b) ELECTION TO EXPENSE IN LIEU OF TAX CREDIT FOR DEPRECIATION.—In the case of a taxpayer which elects (at such time and in such manner as the Secretary may provide) the application of this subsection with respect to any qualified repatriated medical product manufacturing facility or qualified population health product manufacturing facility—

''(1) section 1400AA–1(a)(3) shall not apply with respect to any qualified medical product manufacturing facility property with respect to such facility, and

''(2) for purposes of section 168(k)—

''(A) such property shall be treated as qualified property, and

''(B) the applicable percentage with respect to such property shall be 100 percent.

''(c) QUALIFIED REPATRIATED MEDICAL PRODUCT MANUFACTURING FACILITY.—For purposes of this section, the term 'qualified repatriated medical product manufacturing facility' means any qualified medical product manufacturing facility (as defined in section 1400AA–1) the production of which was moved to an economically distressed zone from a foreign country that the United States Trade Representative has determined could pose a risk to the national supply chain because of political or social factors.

''SEC. 1400AA–4. DESIGNATION OF ECONOMICALLY DISTRESSED ZONES.

''(a) IN GENERAL.—For purposes of this subchapter, the term 'economically distressed zone' means any population census tract within the United States which—

''(1) has a poverty rate of not less than 35 percent for each of the 5 most recent calendar years for which information is available, or

''(2) satisfies each of the following requirements:

''(A) The census tract has pervasive poverty, unemployment, low labor force participation, and general distress measured as a prolonged period of economic decline measured by real gross national product.

''(B) The census tract has a poverty rate of not less than 30 percent for each of the 5

most recent calendar years for which information is available.

''(C) The census tract has been designated as such by the Secretary and the Secretary of Commerce pursuant to an application under subsection (b).

''(b) APPLICATION FOR DESIGNATION.—

''(1) IN GENERAL.—An application for designation as an economically distressed zone may be filed by a State or local government in which the population census tract to which the application applies is located.

''(2) REQUIREMENTS.—Such application shall include a strategic plan for accomplishing the purposes of this subchapter, which—

''(A) describes the coordinated economic, human, community, and physical development plan and related activities proposed for the nominated area,

''(B) describes the process by which the affected community is a full partner in the process of developing and implementing the plan and the extent to which local institutions and organizations have contributed to the planning process,

''(C) identifies the amount of State, local, and private resources that will be available in the nominated area and the private/public partnerships to be used, which may include participation by, and cooperation with, universities, medical centers, and other private and public entities,

''(D) identifies the funding requested under any Federal program in support of the proposed economic, human, community, and physical development and related activities,

''(E) identifies baselines, methods, and benchmarks for measuring the success of carrying out the strategic plan, including the extent to which poor persons and families will be empowered to become economically self-sufficient, and

''(F) does not include any action to assist any establishment in relocating from one area outside the nominated area to the nominated area, except that assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary is permitted if—

''(i) the establishment of the new branch, affiliate, or subsidiary will not result in a decrease in employment in the area of original location or in any other area where the existing business entity conducts business operations,

''(ii) there is no reason to believe that the new branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where the existing business entity conducts business operation, and

''(iii) includes such other information as may be required by the Secretary and the Secretary of Commerce.

''(c) PERIOD FOR WHICH DESIGNATIONS ARE IN EFFECT.—Designation as an economically distressed zone may be made at any time during the 10-year period beginning on the date of the enactment of this section, and shall remain in effect with respect to such zone during the 15-year period beginning on the date of such designation. Economically distressed zones described in subsection (a)(1) shall take effect on the date of the enactment of this Act and shall remain in effect during the 15-year period beginning on such date.

''(d) TERRITORIES AND POSSESSIONS.—The term 'United States' includes the 50 States, the District of Columbia, and the territories and possessions of the United States.

''(e) REGULATIONS.—The Secretary shall issue such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including—

''(1) not later than 30 days after the date of the enactment of this section, a list of the population census tracts described in subsection (a)(1), and

''(2) not later than 60 days after the date of the enactment of this section, regulations or other guidance regarding the designation of population census tracts described in subsection (a)(2).''.

(b) CLERICAL AMENDMENT.—The table of subchapters for chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''SUBCHAPTER AA—MEDICAL PRODUCT MANUFACTURING IN ECONOMICALLY DISTRESSED ZONES''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 6403. REPORT ON NEED FOR INCENTIVIZING DEVELOPMENT OF THERAPIES.

Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall examine and report to the Congress on—

(1) the extent to which the health of aging individuals in the United States, African Americans, Hispanics, Native Americans, veterans, or other vulnerable populations in the United States has been disproportionately harmed by the COVID–19 pandemic and prior epidemics and pandemics;

(2) the therapies currently available, and whether there is a need for additional innovation and development to produce therapies, to reduce the exposure of vulnerable populations in the United States to risk of disproportionate harm in epidemics and pandemics; and

(3) whether the Secretary recommends providing the same incentives for the development and marketing of therapies described in paragraph (2) as is provided under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) with respect to qualified infectious disease products designated under section 505E(d) of such Act (21 U.S.C. 355f(d)).

SA 1756. Ms. CORTEZ MASTO (for herself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2501A. NATIONAL SCIENCE AND TECHNOLOGY STRATEGY.

(a) IN GENERAL.—Not later than the end of each calendar year immediately after the calendar year in which a review under section 2501B is completed, the Director of the Office of Science and Technology Policy, in consultation with the National Science and Technology Council, shall develop and submit to Congress a comprehensive national science and technology strategy of the United States to meet national research and development objectives for the following 4-year period (in this section referred to as the ''national science and technology strategy'').

(b) REQUIREMENTS.—Each national science and technology strategy required by subsection (a) shall delineate a national science and technology strategy consistent with—

(1) the recommendations and priorities developed by the review established in section 2501B;

(2) the most recent national security strategy report submitted pursuant to section 1032 of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 3043);

(3) other relevant national plans; and

(4) the strategic plans of relevant Federal departments and agencies.

(c) CONSULTATION.—The Director of the Office of Science and Technology Policy shall consult, as necessary, with the Director of the Office of Management and Budget and the heads of other appropriate elements of the Executive Office of the President to ensure that the recommendations and priorities delineated in the science and technology strategy are incorporated in the development of annual budget requests.

(d) REPORT.—The President shall submit to Congress each year a comprehensive report on the national science and technology strategy of the United States. Each report on the national science and technology strategy of the United States shall include a description of—

(1) strategic objectives and priorities necessary to maintain the leadership of the United States in science and technology, including near-term, medium-term, and long-term research priorities;

(2) programs, policies, and activities that the President recommends across all Federal agencies to achieve the strategic objectives in paragraph (1); and

(3) global trends in science and technology, including potential threats to the leadership of the United States in science and technology.

(e) PUBLICATION.—The Director shall, consistent with the protection of national security and other sensitive matters to the maximum extent practicable, make each report submitted under subsection (d) publicly available on an internet website of the Office of Science and Technology Policy.

SEC. 2501B. INTERAGENCY QUADRENNIAL INNOVATION AND TECHNOLOGY REVIEW.

(a) DEFINITIONS.—In this section:

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

(A) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Appropriations, the Committee on Environment and Public Works, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, the Committee Science, Space, and Technology and the Committee on Homeland Security of the House of Representatives.

(2) INTERAGENCY.—The term ''interagency'' with respect to a review means that the review is conducted in consultation and coordination between Federal agencies, including the Department of Commerce, the Department of Transportation, the Department of Defense, the Department of Energy, the Environmental Protection Agency, and such other related agencies as the Director of the Office of Science and Technology Policy considers appropriate, as well as the following:

(A) The National Science and Technology Council.

(B) The President's Council of Advisors on Science and Technology.

(C) The National Science Board.

(D) the National Security Council.

(E) The Council of Economic Advisers.

(F) The National Economic Council.

(G) The Domestic Policy Council.

(H) The Office of the United States Trade Representative.

(b) INTERAGENCY QUADRENNIAL INNOVATION AND TECHNOLOGY REVIEW REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this division, and every 4 years thereafter, the Director of the Office of Science and Technology Policy shall complete an interagency review of the science and technology enterprise of the United States (in this section referred to as the ''quadrennial innovation and technology review'').

(2) SCOPE.—The quadrennial innovation and technology review shall be a comprehensive examination of the science and technology strategy of the United States, including recommendations for maintaining global leadership in science and technology and guidance on the coordination of programs, assets, capabilities, budget, policies, and authorities across all Federal research and development programs to strengthen United State technology policy in order to capitalize on the opportunities, address the barriers, and incorporate the necessary safeguards to protect our national and economic security.

(3) STRATEGIC FRAMEWORK AND PRIORITY MISSIONS.—Each quadrennial innovation and technology review shall include development of a strategic framework and priority missions by—

(A) gathering current data on domestic and global trends in innovation and technology;

(B) developing an integrated view of, and recommendations for, Federal technology policy in the context of economic, occupational, security, environmental, and health and safety priorities, with specific attention given to the challenges, opportunities, and safeguards needed for the technology development of the United States;

(C) reviewing the adequacy, with respect to technology policy, of legislative and administrative action in effect during the period covered by the quadrennial innovation and technology review, and developing recommendations for additional legislative and administrative actions as appropriate;

(D) assessing and recommending priorities for Federal research, development, demonstration, adoption, commercialization, and security programs to support key technology-innovation goals;

(E) developing recommendations regarding the analytical tools and data needed to support further policy development and implementation; and

(F) developing recommendations for development of a Federal budget and for Federal regulatory actions.

(4) CONSULTATION.—In carrying out each quadrennial innovation and technology review, the Director of the Office of Science and Technology Policy shall consult with the following:

(A) Congress.

(B) Federal agencies, including Federal agencies not described in subsection (a)(2).

(C) Experts in national security.

(D) Representatives of specific technology industries, as the Director considers appropriate.

(E) Academics.

(F) State, local, and Tribal governments.

(G) Nongovernmental organizations.

(H) The public.

(c) CONTENTS.—In each quadrennial innovation and technology review, the Director shall—

(1) provide an integrated view of, and recommendations for, science and technology policy across the Federal Government, while considering economic and national security;

(2) assess and recommend priorities for research, development and demonstration programs to maintain American leadership in science and technology;

(3) assess the global competition in science and technology and identify potential threats to the leadership of the United States in science and technology;

(4) assess and make recommendations on the science, technology, engineering, mathematics, and computer science workforce in the United States;

(5) assess and make recommendations to improve regional innovation across the United States;

(6) assess and identify the infrastructure and tools needed to maintain the leadership of the United States in science and technology; and

(7) review administrative or legislative policies that affect the science and technology enterprise and identify and make recommendations on policies that hinder research and development in the United States.

(d) MATTERS COVERED AND CONSIDERATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), each quadrennial innovation and technology review shall cover such matters as the Director considers appropriate pursuant to an internal process that the Director shall establish to assess the timeliest activities and needs of the Federal Government, as well as with consideration given to the following:

(A) Technology development and deployment, including matters relating to the following:

(i) The Federal budget and the global competitiveness of the United States.

(ii) High-level emerging computing and machine learning technologies, such as artificial intelligence.

(iii) Quantum computing and high performance computing, semiconductors, and advanced computer hardware.

(iv) Essential public, private, private, and consumer technologies such as access to high-quality broadband in the United States, including progress in the development of advanced wireless communication, the internet of things, and intelligent transportation solutions, which all can contribute to smarter communities, including in rural, urban, suburban, and Tribal areas.

(v) Physical sciences, such as the development of clean energy technologies and environmental solutions, biomedical and biotechnology innovation, and robotic technology.

(vi) Such other matters as the Director considers appropriate for the review.

(B) Innovation and technology safeguards, including matters relating to the following:

(i) Algorithmic and biometric bias.

(ii) Cybersecurity.

(iii) Data privacy.

(iv) The effects of United States technology exports on the following:

(I) International human rights law violations.

(II) Aid to illiberal and authoritarian regimes.

(III) The environment and ecological health.

(IV) Such other United States policy goals that the Director considers relevant.

(v) Market competitiveness of national and international technology companies, factoring in United States startups and small business concerns.

(vi) The role of the United States in international standards-setting processes concerning issues of functionality, operability, safety, and human rights.

(C) Workforce and manufacturing capabilities, including the following:

(i) Assessment of current Federal, State, or local policies relating to expanding and retaining the United States technological and industrial-base, including the necessary domestic workforce, which may include the following:

(I) Manufacturing and other industrial subsidies.

(II) Related tax benefits.

(III) Investments in education and training for related industries.

(IV) Use of government procurement policies to encourage domestic production.

(V) Government-mandated production, including under the Defense Production Act (50 U.S.C. 4501 et seq.).

(VI) Trade agreements that advantage or make domestic manufacturing globally competitive.

(VII) Export controls.

(VIII) Supply chain policies.

(ii) The ability of the United States to attract top research and development talent from an international pool and how that confers upon the United States a significant advantage.

(2) MODIFICATIONS.—In carrying out a quadrennial innovation and technology review, the Director may add or remove key technology focus areas covered by the review as the Director considers appropriate if the Director determines that competitive threats to the United States have shifted.

(e) COOPERATION ON COLLECTION OF DATA AND INFORMATION.—In carrying out each quadrennial innovation and technology review, the Director shall coordinate with such Federal agencies as the Director requires to collect data and information—

(1) to recommend coordinated administrative actions across Federal agencies;

(2) to identify the resources needed for the safe invention, adoption, and integration of technologies;

(3) to provide a strong analytical base for Federal policy decisions;

(4) to consider reasonable estimates of future Federal budgetary resources when making recommendations; and

(5) to provide Congress with such recommendations for action.

(f) LEVERAGING EXISTING WORK PRODUCT.—In carrying out each quadrennial innovation and technology review, the Director shall make an effort to use or expand upon reports and assessments produced or being developed by the various elements of the Federal Government, in accordance with all applicable provisions of law.

(g) REPORTING.—

(1) IN GENERAL.—Not later than December 31 of the year in which a quadrennial innovation and technology review is conducted, the Director shall submit to Congress a report on the review.

(2) PUBLICATION.—The Director shall, consistent with the protection of national security and other sensitive matters to the maximum extent possible, make each report submitted under paragraph (1) publicly available on an internet website of the Office of Science and Technology Policy.

(h) PERIODIC REPORTS.—

(1) IN GENERAL.—Not later than 30 days after completion of a quadrennial innovation and technology review, the Director shall submit to the appropriate committees of Congress a comprehensive report on the review.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) The assessments of the Director for improvements to the quadrennial innovation and technology review, including recommendations for additional matters to be covered in the review.

(B) Such other matters as the Director considers appropriate.

(3) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(i) INTERIM ASSESSMENT.—Not later than 30 months after the date of the submittal of the first report under subsection (h)(1), the Director shall submit to the appropriate committees of Congress an assessment of the most recently completed quadrennial innovation and technology review, including—

(1) an assessment of the implementation by the Office of Science and Technology Policy of the strategic framework developed under subsection (b)(3) as part of such review; and

(2) an assessment whether such strategic framework requires revision as a result of changes in assumptions, policy, or other factors.

SA 1757. Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ESTABLISHMENT OF EMERGING TECHNOLOGY STANDARDS-SETTING TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy shall establish a task force on setting emerging technology standards.

(2) DESIGNATION.—The task force established under paragraph (1) shall be known as the ''Emerging Technology Standards-Setting Task Force'' (in this section referred to as the ''Task Force'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Task Force shall be composed of members as follows:

(A) The Director.

(B) At least two individuals selected by the Secretary of Commerce, one whom—

(i) at least one shall be selected by the Secretary to represent the Department of Commerce generally; and

(ii) at least one shall be selected by the Secretary to represent the National Institute of Standards and Technology.

(C) At least one individual selected by the Secretary of State to represent the Department of State.

(D) At least one individual selected by the Secretary of Defense to represent the Department of Defense.

(E) At least one individual selected by the Secretary of Energy to represent the Department of Energy.

(F) At least one individual selected by the Secretary of Labor to represent the Department of Labor.

(G) At least one individual selected by the Secretary of Transportation to represent the Department of Transportation.

(H) At least one individual selected by the Attorney General to represent the Department of Justice.

(I) At least one individual selected by the Secretary of the Treasury to represent the Department of the Treasury.

(2) CHAIRPERSON.—The Chairperson of the Task Force shall be the Director.

(c) DUTIES.—

(1) STRATEGIC PLAN.—Not later than one year after the date of the enactment of this Act, the Task Force shall develop a long-term strategic plan for the United States to lead emerging technology standards-setting processes.

(2) ADDITIONAL DUTIES.—In carrying out paragraph (1), the Task Force shall—

(A) assess which technology standards (such as fifth and sixth generation wireless networking technology and artificial intelligence) have the greatest effect on national security and economic competitiveness;

(B) describe and analyze the ways in which standards setting processes can be misused by governments for protectionist ends and human rights abuses;

(C) establish and execute a strategy to ensure credibility and engagement with international institutions; and

(D) develop a list of allies and partners with which to align with respect to the strategy to be established and executed under subparagraph (B).

(d) ENGAGEMENT.—In carrying out the duties of the Task Force, the Task Force shall engage with academia and the private sector.

(e) STAFF.—The Chairperson of the Task Force may appoint or delegate an executive director and such other additional personnel as may be necessary to enable the Task Force to perform its duties.

SA 1758. Mrs. SHAHEEN (for herself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsection (b) of section 2627 and insert the following:

(b) IN GENERAL.—Subchapter III of chapter 201 of title 51, United States Code, as amended by section 2627, is further amended by adding at the end the following:

''§ 20152 Payments received for commercial space-enable production

''(a) ANNUAL REVIEW.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, and annually thereafter, the Administrator shall review the profitability of any partnership with a private entity under a contract in which the Administrator—

''(A) permits the use of the ISS by such private entities to produce a commercial product or service; and

''(B) provides the total unreimbursed cost of a contribution by the Federal Government for the use of Federal facilities, equipment, materials, proprietary information of the Federal Government, or services of a Federal employee during working hours, including the cost for the Administration to carry out its responsibilities under paragraphs (1) and (4) of section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)).

''(2) NEGOTIATION OF REIMBURSEMENTS.—Subject to the review described in paragraph (1), the Administrator shall seek to enter into an agreement to negotiate reimbursements for payments received, or portions of profits created, by any mature, profitable private entity described in that paragraph, as appropriate, through a tiered process that reflects the profitability of the relevant product or service.

''(3) USE OF FUNDS.—Amounts received by the Administrator in accordance with an agreement under paragraph (2) shall be used by the Administrator in the following order of priority:

''(A) To defray the operating cost of the ISS.

''(B) To develop, implement, or operate future low-Earth orbit platforms or capabilities.

''(C) To develop, implement, or operate future human deep space platforms or capabilities.

''(D) Any other costs the Administrator considers appropriate.

''(4) REPORT.—On completion of the first annual review under paragraph (1), and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report that includes a description of the results of the annual review, any agreement entered into under this section, and the amounts recouped or obtained under any such agreement.

''(b) LICENSING AND ASSIGNMENT OF INVENTIONS.—Notwithstanding sections 3710a and 3710c of title 15 and any other provision of law, after payment in accordance with subsection (A)(i) of such section 3710c(a)(1)(A)(i) to the inventors who have directly assigned to the Federal Government their interests in an invention under a written contract with the Administration or the ISS management entity for the performance of a designated activity, the balance of any royalty or other payment received by the Administrator or the ISS management entity from licensing and assignment of such invention shall be paid by the Administrator or the ISS management entity, as applicable, to the Space Exploration Fund.

''(c) SPACE EXPLORATION FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the 'Space Exploration Fund' (referred to in this subsection as the 'Fund'), to be administered by the Administrator.

''(2) USE OF FUND.—The Fund shall be available to carry out activities described in subsection (a)(3).

''(3) DEPOSITS.—There shall be deposited in the Fund—

''(A) amounts appropriated to the Fund;

''(B) fees collected by the Administrator under subsection (a);

''(C) royalties and other payments collected by the Administrator or the ISS management entity under subsection (b); and

''(D) donations or contributions designated to support authorized activities.

''(4) RULE OF CONSTRUCTION.—Amounts available to the Administrator under this subsection shall be—

''(A) in addition to amounts otherwise made available for the purpose described in paragraph (2); and

''(B) available for a period of 5 years.

''(5) LIMITATION ON COLLECTION AND AVAILABILITY.—Fees under paragraph (3)(B) and donations and contributions under paragraph 3(D) shall be collected and available pursuant to this subsection only to the extent and in such amounts as provided in advance in appropriations Acts.

''(d) DEFINITIONS.—

''(1) IN GENERAL.—In this section, any term used in this section that is also used in section 20150 shall have the meaning given the term in that section.

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

''(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

''(B) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.''.

SA 1759. Mrs. MURRAY (for herself, Mr. MANCHIN, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—TOXIC EXPOSURE SAFETY ACT OF 2021

SECTION 6401. SHORT TITLE.

This title may be cited as the ''Toxic Exposure Safety Act of 2021''.

SEC. 6402. ESTABLISHING A TOXIC SPECIAL EXPOSURE COHORT.

(a) EXPANSION OF COVERED EMPLOYEES AND DEFINITION OF COVERED ILLNESSES UNDER SUBTITLE E.—Section 3671 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s) is amended—

(1) in paragraph (1)—

(A) by striking ''employee determined under'' and inserting the following: ''employee determined—

''(A) under'';

(B) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(B) to have contracted a covered illness and be a member of the Toxic Special Exposure Cohort established under section 3671A.''; and

(2) by striking paragraph (2) and inserting the following:

''(2) The term 'covered illness' means an occupational illness or death resulting from exposure to a toxic substance, including—

''(A) all forms of cancer;

''(B) malignant mesothelioma;

''(C) pneumoconiosis, including silicosis, asbestosis, and other pneumoconiosis, and other asbestos-related diseases, including asbestos-related pleural disease;

''(D) any illness identified in a health studies report under section 6405(f)(4) of the Toxic Exposure Safety Act of 2021 or a report under section 3615(f)(2)(D); and

''(E) any additional illness that the Secretary of Health and Human Services designates by regulation, as such Secretary determines appropriate based on—

''(i) the results of the report under section 3671A(c); and

''(ii) the determinations made by such Secretary in establishing a Toxic Special Exposure Cohort under section 3671A.''.

(b) DESIGNATION OF TOXIC SPECIAL EXPOSURE COHORT.—Subtitle E of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s et seq.) is amended by inserting after section 3671 the following:

''SEC. 3671A. ESTABLISHMENT OF THE TOXIC SPECIAL EXPOSURE COHORT.

''(a) CERTAIN DESIGNATIONS.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention—

''(1) shall establish a Toxic Special Exposure Cohort; and

''(2) as the Secretary determines appropriate in accordance with the rules promulgated under subsection (b), may designate classes of Department of Energy employees, Department of Energy contractor employees, or atomic weapons employees as members of the Toxic Special Exposure Cohort.

''(b) PROMULGATION OF RULES.—Not later than 1 year after the date of enactment of the Toxic Exposure Safety Act of 2021, the Secretary of Health and Human Services shall promulgate rules—

''(1) establishing a process to determine whether there are classes of Department of Energy employees, Department of Energy contractor employees, or other classes of employees employed at any Department of Energy facility—

''(A) who were at least as likely as not exposed to toxic substances at a Department of Energy facility; and

''(B) for whom the Secretary of Health and Human Services has determined, after taking into consideration the recommendations of the Advisory Board on Toxic Substances and Worker Health on the matter, that it is not feasible to estimate with sufficient accuracy the frequency, intensity, and duration of exposure they received; and

''(2) regarding how the Secretary of Health and Human Services will designate employees, or classes of employees, described in paragraph (1) as members of the Toxic Special Exposure Cohort established under subsection (a)(1), which shall include a requirement that the Secretary shall make initial determinations regarding such designations.

''(c) REPORT TO CONGRESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Toxic Exposure Safety Act of 2021, the Secretary of Health and Human Services shall submit to the relevant committees of Congress a report that identifies each of the following:

''(A) A list of cancers and other illnesses associated with toxic substances that pose, or posed, a hazard in the work environment at any Department of Energy facility.

''(B) The minimum duration of work required to qualify for the Toxic Special Exposure Cohort established under subsection (a)(1).

''(C) The class of employees that are designated as members in the Toxic Special Exposure Cohort.

''(2) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'relevant committees of Congress' means—

''(A) the Committee on Armed Services, Committee on Appropriations, Committee on Energy and Natural Resources, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

''(B) the Committee on Armed Services, Committee on Appropriations, Committee on Energy and Commerce, and the Committee on Education and Labor of the House of Representatives.''.

(c) ALLOWING SUBTITLE B CLAIMS FOR ELIGIBLE EMPLOYEES WHO ARE MEMBERS OF THE TOXIC SPECIAL EXPOSURE COHORT.—Section 3621(1) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(1)) is amended by adding at the end the following:

''(D) A Department of Energy employee or atomic weapons employee who—

''(i) has contracted a covered illness (as defined in section 3671); and

''(ii) satisfies the requirements established by the Secretary of Health and Human Services for the Toxic Special Exposure Cohort under section 3671A.''.

(d) CLARIFICATION OF TOXIC SUBSTANCE EXPOSURE FOR COVERED ILLNESSES.—Section 3675(c)(1) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–4(c)(1)) is amended by inserting ''(including chemicals or combinations or mixtures of a toxic substance, including heavy metals, and radiation)'' after ''toxic substance'' each place such term appears.

SEC. 6403. PROVIDING INFORMATION REGARDING DEPARTMENT OF ENERGY FACILITIES.

Subtitle E of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s et seq.) is amended by inserting after section 3681 the following:

''SEC. 3681A. COMPLETION AND UPDATES OF SITE EXPOSURE MATRICES.

''(a) DEFINITION.—In this section, the term 'site exposure matrices' means an exposure assessment of a Department of Energy facility that identifies the toxic substances or processes that were used in each building or process of the facility, including the trade name (if any) of the substance.

''(b) IN GENERAL.—Not later than 180 days after the date of enactment of the Toxic Exposure Safety Act of 2021, the Secretary of Labor shall, in coordination with the Secretary of Energy, create or update site exposure matrices for each Department of Energy facility based on the records, files, and other data provided by the Secretary of Energy and such other information as is available, including information available from the former worker medical screening programs of the Department of Energy.

''(c) PERIODIC UPDATE.—Beginning 90 days after the initial creation or update described in subsection (b), and each 90 days thereafter, the Secretary shall update the site exposure matrices with all information available as of such time from the Secretary of Energy.

''(d) INFORMATION.—The Secretary of Energy shall furnish to the Secretary of Labor any information that the Secretary of Labor finds necessary or useful for the production of the site exposure matrices under this section, including records from the Department of Energy former worker medical screening program.

''(e) PUBLIC AVAILABILITY.—The Secretary of Labor shall make available to the public, on the primary website of the Department of Labor—

''(1) the site exposure matrices, as periodically updated under subsections (b) and (c);

''(2) each site profile prepared under section 3633(a);

''(3) any other database used by the Secretary of Labor to evaluate claims for compensation under this title; and

''(4) statistical data, in the aggregate and disaggregated by each Department of Energy facility, regarding—

''(A) the number of claims filed under this subtitle and the number of claims filed by members of the Toxic Special Exposure Cohort who are covered under subtitle B;

''(B) the types of illnesses claimed;

''(C) the number of claims filed for each type of illness and, for each claim, whether the claim was approved or denied;

''(D) the number of claimants receiving compensation; and

''(E) the length of time required to process each claim, as measured from the date on which the claim is filed to the final disposition of the claim.

''(f) FUNDING.—There is authorized and hereby appropriated to the Secretary of Energy, for fiscal year 2021 and each succeeding year, such sums as may be necessary to support the Secretary of Labor in creating or updating the site exposure matrices.''.

SEC. 6404. ASSISTING CURRENT AND FORMER EMPLOYEES UNDER THE EEOICPA.

(a) PROVIDING INFORMATION AND OUTREACH.—Subtitle A of the Energy Employees

Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384d et seq.) is amended—

(1) by redesignating section 3614 as section 3616; and

(2) by inserting after section 3613 the following:

"SEC. 3614. INFORMATION AND OUTREACH.

''(a) ESTABLISHMENT OF TOLL-FREE INFORMATION PHONE NUMBER.—By not later than January 1, 2022, the Secretary of Labor shall establish a toll-free phone number that current or former employees of the Department of Energy, or current or former Department of Energy contractor employees, may use in order to receive information regarding—

''(1) the compensation program under subtitle B or E;

''(2) information regarding the process of submitting a claim under either compensation program;

''(3) assistance in completing the occupational health questionnaire required as part of a claim under subtitle B or E;

''(4) the next steps to take if a claim under subtitle B or E is accepted or denied; and

''(5) such other information as the Secretary determines necessary to further the purposes of this title.

''(b) ESTABLISHMENT OF RESOURCE AND ADVOCACY CENTERS.—

''(1) IN GENERAL.—By not later than January 1, 2023, the Secretary of Energy, in coordination with the Secretary of Labor, shall establish a resource and advocacy center at each Department of Energy facility where cleanup operations are being carried out, or have been carried out, under the environmental management program of the Department of Energy. Each such resource and advocacy center shall assist current or former Department of Energy employees and current or former Department of Energy contractor employees, by enabling the employees and contractor employees to—

''(A) receive information regarding all related programs available to them relating to potential claims under this title, including—

''(i) programs under subtitles B and E; and

''(ii) the former worker medical screening program of the Department of Energy; and

''(B) navigate all such related programs.

''(2) COORDINATION.—The Secretary of Energy shall integrate other programs available to current and former employees, and current or former Department of Energy contractor employees, which are related to the purposes of this title, with the resource and advocacy centers established under paragraph (1), as appropriate.

''(c) INFORMATION.—The Secretary of Labor shall develop and distribute, through the resource and advocacy centers established under subsection (b) and other means, information (which may include responses to frequently asked questions) for current or former employees or current or former Department of Energy contractor employees about the programs under subtitles B and E and the claims process under such programs.

''(d) COPY OF EMPLOYEE'S CLAIMS RECORDS.—

''(1) IN GENERAL.—The Secretary of Labor shall, upon the request of a current or former employee or Department of Energy contractor employee, provide the employee with a complete copy of all records or other materials held by the Department of Labor relating to the employee's claim under subtitle B or E.

''(2) CHOICE OF FORMAT.—The Secretary of Labor shall provide the copy of records described in paragraph (1) to an employee in electronic or paper form, as selected by the employee.

''(e) CONTACT OF EMPLOYEES BY INDUSTRIAL HYGIENISTS.—The Secretary of Labor shall allow industrial hygienists to contact and interview current or former employees or Department of Energy contractor employees regarding the employee's claim under subtitle B or E.''.

(b) EXTENDING APPEAL PERIOD.—Section 3677(a) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–6(a)) is amended by striking ''60 days'' and inserting ''180 days''.

(c) FUNDING.—Section 3684 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–13) is amended—

(1) by striking ''There is authorized'' and inserting the following:

''(a) IN GENERAL.—There is authorized'';

(2) by inserting before the period at the end the following: '', including the amounts necessary to carry out the requirements of section 3681A''; and

(3) by adding at the end the following:

''(b) ADMINISTRATIVE COSTS FOR DEPARTMENT OF ENERGY.—There is authorized and hereby appropriated to the Secretary of Energy for fiscal year 2021 and each succeeding year such sums as may be necessary to support the Secretary in carrying out the requirements of this title, including section 3681A.''.

(d) ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.—Section 3687 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(F), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) develop recommendations for the Secretary of Health and Human Services regarding—

''(A) whether there is a class of Department of Energy employees, Department of Energy contractor employees, or other employees at any Department of Energy facility who were at least as likely as not exposed to toxic substances at that facility but for whom it is not feasible to estimate with sufficient accuracy the dose they received; and

''(B) the conditions or requirements that should be met in order for an individual to be designated as a member of the Special Exposure Cohort under section 3671A; and

''(4) review all existing, as of the date of the review, rules and guidelines issued by the Secretary regarding presumption of causation and provide the Secretary with recommendations for new rules and guidelines regarding presumption of causation.'';

(2) in subsection (c)(3), by inserting ''or the Board'' after ''The Secretary'';

(3) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(4) by inserting after subsection (g) the following:

''(h) REQUIRED RESPONSES TO BOARD RECOMMENDATIONS.—Not later than 90 days after the date on which the Secretary of Labor and the Secretary of Health and Human Services receives recommendations in accordance with paragraph (1), (3), or (4) of subsection (b), such Secretary shall submit formal responses to each recommendation to the Board and Congress.''.

SEC. 6405. RESEARCH PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF TOXIC EXPOSURES.

(a) DEFINITIONS.—In this section—

(1) the term ''Department of Energy facility'' has the meaning given the term in section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l);

(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); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary, acting through the Director of the National Institute of Environmental Health Sciences and in collaboration with the Director of the Centers for Disease Control and Prevention, shall conduct or support research on the epidemiological impacts of exposures to toxic substances at Department of Energy facilities.

(c) USE OF FUNDS.—Research under subsection (b) may include research on the epidemiological, clinical, or health impacts on individuals who were exposed to toxic substances in or near the tank or other storage farms and other relevant Department of Energy facilities through their work at such sites.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or the National Academy of Sciences may apply for funding under this section by submitting to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

(e) RESEARCH COORDINATION.—The Secretary shall coordinate activities under this section with similar activities conducted by the Department of Health and Human Services to the extent that other agencies have responsibilities that are related to the study of epidemiological, clinical, or health impacts of exposures to toxic substances.

(f) HEALTH STUDIES REPORT TO SECRETARY.—Not later than 1 year after the end of the funding period for research under this section, the funding recipient shall prepare and submit to the Secretary a final report that—

(1) summarizes the findings of the research;

(2) includes recommendations for any additional studies;

(3) describes any classes of employees that, based on the results of the study and in accordance with the rules promulgated by the Secretary under section 3671A(b) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (as added by this title), qualify for inclusion in the Toxic Special Exposure Cohort under such section 3671A; and

(4) describes any illnesses to be included as covered illnesses under section 3671(2)(D) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s(2)(D)).

(g) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 120 days after the date on which the reports under subsection (f) are due, the Secretary shall—

(A) designate all classes of employees described in the report under subsection (f)(3) as members of the Toxic Special Exposure Cohort under section 3671A of the Energy Employees Occupational Illness Compensation Program Act of 2000 (as added by this title);

(B) prepare and submit to the relevant committees of Congress a report—

(i) summarizing the findings from the reports required under subsection (f);

(ii) identifying the classes of employees designated under subparagraph (A);

(iii) identifying any new illnesses that, as a result of the study, will be included as covered illnesses, pursuant to subsection (f)(4) and section 3671(2)(D) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s(2)(D)); and

(iv) including the Secretary's recommendations for additional health studies relating to toxic substances, if the Secretary determines it necessary.

(2) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''relevant committees of Congress'' means—

(A) the Committee on Armed Services, Committee on Appropriations, Committee on Energy and Natural Resources, and Committee on Health, Education, Labor, and Pensions of the Senate; and

(B) the Committee on Armed Services, Committee on Appropriations, Committee on Energy and Commerce, and Committee on Education and Labor of the House of Representatives.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2022 through 2026.

SEC. 6406. SUPERCOMPUTING FOR SAFER CHEMICALS (SUPERSAFE) CONSORTIUM.

(a) CONSORTIUM ESTABLISHED.—

(1) LN GENERAL.—The Secretary of Energy (referred to in this section as the ''Secretary''), in collaboration with the Secretary of Labor, the Secretary of Health and Human Services, the Director of the National Toxicology Program, and the heads of any other relevant Federal agencies, shall form a consortium, to be known as the ''Supercomputing for Safer Chemicals (SUPERSAFE) Consortium'' (referred to in this section as the ''Consortium'').

(2) INCLUSION OF STATE AGENCIES.—The Secretary of Energy shall allow heads of relevant State agencies to join the Consortium if the State agencies so request.

(b) CONSORTIUM ACTIVITIES.—

(1) IN GENERAL.—The Consortium, working through the National Laboratories and public research institutions, shall use supercomputing and other similar capabilities—

(A) to establish rapid approaches for large-scale identification of toxic substances and the development of safer alternatives to those toxic substances by developing and validating computational toxicology methods based on unique high-performance computing, artificial intelligence/machine learning, and precision measurements;

(B) to transition to a more circular economy and cleaner energy by expanding knowledge to shift the market for toxic substances and products toward safe-by-design alternatives; and

(C) to address the burdens of—

(i) environmental toxic substance exposures in disadvantaged communities;

(ii) greater toxic substances use in products targeted towards those communities; and

(iii) exposure to toxic substances at Department of Energy facilities.

(2) MODELS.—In carrying out paragraph (1), the Consortium shall use supercomputers to develop, validate, and run models to predict adverse health effects caused by toxic substances.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section—

(1) for fiscal year 2022, $20,000,000;

(2) for fiscal year 2023, $30,000,000; and

(3) for each of fiscal years 2024 through 2026, $35,000,000.

SEC. 6407. NATIONAL ACADEMY OF SCIENCES REVIEW.

Subtitle A of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384d et seq.), as amended by section 6404, is further amended by inserting after section 3614 the following:

''SEC. 3615. NATIONAL ACADEMY OF SCIENCES REVIEW.

''(a) PURPOSE.—The purpose of this section is to enable the National Academy of Sciences, a non-Federal entity with appropriate expertise, to review and evaluate the available scientific evidence regarding associations between diseases and exposure to toxic substances found at Department of Energy cleanup sites.

''(b) DEFINITIONS.—In this section:

''(1) DEPARTMENT OF ENERGY CLEANUP SITE.—The term 'Department of Energy cleanup site' means a Department of Energy facility where cleanup operations are being carried out, or have been carried out, under the environmental management program of the Department of Energy.

''(2) HEALTH STUDIES REPORT.—The term 'health studies report' means the report submitted under section 6405(f) of the Toxic Exposure Safety Act of 2021.

''(c) AGREEMENT.—Not later than 60 days after the issuance of the health studies report, the Secretary of Health and Human Services shall enter into an agreement with the National Academy of Sciences to carry out the requirements of this section.

''(d) REVIEW OF SCIENTIFIC AND MEDICAL EVIDENCE.—

''(1) IN GENERAL.—Under the agreement described in subsection (c), the National Academy of Sciences shall, for the period of the agreement—

''(A) for each area recommended for additional study under the health studies report under section 6405(f)(2) of the Toxic Exposure Safety Act of 2021, review and summarize the scientific evidence relating to the area, including—

''(i) studies by the Department of Energy and Department of Labor; and

''(ii) any other available and relevant scientific studies, to the extent that such studies are relevant to the occupational exposures that have occurred at Department of Energy cleanup sites; and

''(B) review and summarize the scientific and medical evidence concerning the association between exposure to toxic substances found at Department of Energy cleanup sites and resultant diseases.

''(2) SCIENTIFIC DETERMINATIONS CONCERNING DISEASES.—In conducting each review of scientific evidence under subparagraphs (A) and (B) of paragraph (1), the National Academy of Sciences shall—

''(A) assess the strength of such evidence;

''(B) assess whether a statistical association between exposure to a toxic substance and a disease exists, taking into account the strength of the scientific evidence and the appropriateness of the statistical and epidemiological methods used to detect an association;

''(C) assess the increased risk of disease among those exposed to the toxic substance during service during the production and cleanup eras of the Department of Energy cleanup sites;

''(D) survey the impact to health of the toxic substance, focusing on hematologic, renal, urologic, hepatic, gastrointestinal, neurologic, dermatologic, respiratory, endocrine, ocular, ear, nasal, and oropharyngeal diseases, including dementia, leukemia, chemical sensitivities, and chronic obstructive pulmonary disease; and

''(E) determine whether a plausible biological mechanism or other evidence of a causal relationship exists between exposure to the toxic substance and disease.

''(e) ADDITIONAL SCIENTIFIC STUDIES.—If the National Academy of Sciences determines, in the course of conducting the studies under subsection (d), that additional studies are needed to resolve areas of continuing scientific uncertainty relating to toxic exposure at Department of Energy cleanup sites, the National Academy of Sciences shall include, in the next report submitted under subsection (f), recommendations for areas of additional study, consisting of—

''(1) a list of diseases and toxins that require further evaluation and study;

''(2) a review the current information available, as of the date of the report, relating to such diseases and toxins;

''(3) the value of the information that would result from the additional studies; and

''(4) the cost and feasibility of carrying out additional studies.

''(f) REPORTS.—

''(1) IN GENERAL.—By not later than 18 months after the date of the agreement under subsection (c), and every 2 years thereafter, the National Academy of Sciences shall prepare and submit a report to—

''(A) the Secretary;

''(B) the Committee on Health, Education, Labor, and Pensions and the Committee on Energy and Natural Resources of the Senate; and

''(C) the Committee on Natural Resources, the Committee on Education and Labor, and the Committee on Energy and Commerce of the House of Representatives.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the 18-month or 2-year period covered by the report—

''(A) a description of—

''(i) the reviews and studies conducted under this section;

''(ii) the determinations and conclusions of the National Academy of Sciences with respect to such reviews and studies; and

''(iii) the scientific evidence and reasoning that led to such conclusions;

''(B) the recommendations for further areas of study made under subsection (e) for the reporting period;

''(C) a description of any classes of employees that, based on the results of the reviews and studies and in accordance with the rules promulgated by the Secretary under section 3671A(b), qualify for inclusion in the Toxic Special Exposure Cohort under such section 3671A; and

''(D) the identification of any illness that the National Academy of Sciences has determined, as a result of the reviews and studies, should be a covered illness under section 3671(2)(D).

''(g) LIMITATION ON AUTHORITY.—The authority to enter into agreements under this section shall be effective for a fiscal year to the extent that appropriations are available.

''(h) SUNSET.—This section shall cease to be effective 10 years after the last day of the fiscal year in which the National Academy of Sciences transmits to the Secretary the first report under subsection (f).''.

SEC. 6408. CONFORMING AMENDMENTS.

The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) is amended—

(1) in the table of contents—

(A) by redesignating the item relating to section 3614 as the item relating to section 3616;

(B) by inserting after the item relating to section 3613 the following:

''Sec. 3614. Information and outreach.
''Sec. 3615. National Academy of Sciences review.'';

(C) by inserting after the item relating to section 3671 the following:

''Sec. 3671A. Establishment of the Toxic Special Exposure Cohort.'';

and

(D) by inserting after the item relating to section 3681 the following:

''Sec. 3681A. Completion and updates of site exposure matrices.'';

and

(2) in each of subsections (b)(1) and (c) of section 3612, by striking ''3614(b)'' and inserting ''3616(b)''.

SA 1760. Ms. CORTEZ MASTO (for herself, Mr. YOUNG, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

TITLE VII—SMALL BUSINESS INNOVATION VOUCHERS

SEC. 2701. SHORT TITLE.

This title may be cited as the ''Small Business Innovation Voucher Act of 2021''.

SEC. 2702. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term ''Director'' means the Director of the National Institute of Standards and Technology.

(2) PROGRAM.—The term ''Program'' means the Innovation Voucher Grant Program established under section 2703(a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(4) SMALL BUSINESS.—The term ''small business'' means a business with 50 or fewer employees.

(5) SMALL BUSINESS IN AN UNDERSERVED MARKET.—The term ''small business in an underserved market'' means a small business concern owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C))) that is a small business (as defined in this section).

SEC. 2703. INNOVATION VOUCHER GRANT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, the Secretary shall, acting through the Director, establish a program under which the Secretary shall, on a competitive basis and in accordance with subsection (g), award to eligible entities grants or financial assistance in another form for the provision of technical assistance to small businesses to assist the small businesses in carrying out projects that advance research, development, or commercialization of new or innovative products and services.

(2) PURPOSES OF PROGRAM.—The purposes of the Program are—

(A) to foster collaboration between small businesses and research institutions or other similar organizations;

(B) to facilitate access by small businesses to capital-intensive infrastructure and advanced research capabilities;

(C) to enable small businesses to access technical expertise and capabilities that will lead to the development of innovative products;

(D) to promote business dynamism and competition;

(E) to stimulate United States leadership in advanced research, innovation, and technology;

(F) to accelerate the development of an advanced workforce; and

(G) to preserve and create new jobs.

(3) DESIGNATION.—The program established under paragraph (1) shall be known as the ''Innovation Voucher Grant Program''.

(b) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—For purposes of the Program, an eligible entity is an entity that the Director determines—

(A) is—

(i) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

(ii) a nonprofit research lab, institution, or other similar organization in the United States associated with educational or research activities, including a federally funded research and development center; and

(B) according to terms that the Director considers appropriate, is a suitable provider of knowledge for purposes of the program.

(2) GEOGRAPHIC DIVERSITY.—In determining whether entities are suitable providers of knowledge under paragraph (1)(B), the Director shall seek to establish geographic diversity among eligible entities.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible entity seeking a grant or other financial assistance under the Program to assist the eligible entity in providing technical assistance to small businesses shall, in conjunction with one or more small businesses, submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

(2) DEADLINE.—The Secretary shall establish a deadline for the submittal of applications under paragraph (1).

(3) SELECTION.—Not later than 180 days after the deadline established under paragraph (2), the Secretary shall select the recipients of the grants or other financial assistance under the Program.

(d) EVALUATION.—In evaluating an application for a grant or other financial assistance under the Program, the Secretary shall take into consideration—

(1) the likelihood that the amounts of the grant or financial assistance will be used to create or advance a novel product or service;

(2) the technical feasibility of creating or advancing a novel product or service proposed to be created or advanced using technical assistance provided with assistance under the Program; and

(3) whether creating or advancing a product or service proposed to be created or advanced using technical assistance supported by a grant under the Program could be accomplished without a grant awarded under the Program.

(e) AMOUNT.—A grant or other financial assistance awarded under the Program shall be awarded in an amount of not less than $20,000 and not more than $75,000, which shall remain available to the recipient of the grant until expended.

(f) AMOUNTS FOR SMALL BUSINESSES.—

(1) IN GENERAL.—Except to the extent that the Secretary determines otherwise, not less than 40 percent of the amounts made available for the Program in a fiscal year shall be set aside and expended through eligible entities providing technical assistance to—

(A) small businesses in underserved markets; or

(B) small businesses in regions or States that have historically been underserved by Federal research and development funds.

(2) REMAINING AMOUNT.—Any amount that is set aside under paragraph (1) in a fiscal year that is not expended by the end of the fiscal year shall be—

(A) except as provided in subparagraph (B), available in the following fiscal year to make grants to eligible entities described in paragraph (1); and

(B) on and after October 1, 2024, available to award grants to all eligible entities under the Program.

(g) FEDERAL SHARE.—

(1) IN GENERAL.—The Secretary may not award a grant to an eligible entity under the Program to provide technical assistance to a small business unless the eligible entity agrees that, with respect to the costs to be incurred by the eligible entity in providing such technical assistance, the eligible entity will make available non-Federal contributions in an amount equal to—

(A) in the case of an award in an amount that is less than $50,000, not less than 25 percent of the amount of the award; and

(B) in the case of an award in an amount that is equal to or greater than $50,000, not less than 50 percent of the amount of the award.

(2) SOURCES OF NON-FEDERAL CONTRIBUTIONS.—Non-Federal contributions under paragraph (1) may be derived from non-Federal contributions provided by the eligible entity, the small business, or from such State and local government sources as the Secretary considers appropriate.

(h) REPORTS.—

(1) REPORTS FROM GRANT RECIPIENTS.—Not later than 180 days after the date on which a project carried out with technical assistance provided with support from a grant or other financial assistance awarded under the Program is completed, the recipient of the grant or other financial assistance shall submit to the Secretary a report on the project, including—

(A) whether and how the project met the original expectations for the project;

(B) how the results of the project were incorporated in the business of the small business; and

(C) whether and how the project improved innovation practices of the small business.

(2) REPORT OF THE SECRETARY.—Not later than 2 years after the date on which the Secretary establishes the Program, and every 2 years thereafter until the date on which the amounts appropriated for the Program are expended, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on grants and other financial assistance awarded under the Program, including—

(A) a description of the grants and financial assistance awarded;

(B) the estimated number of products or services created or advanced with technical assistance supported by a grant or other financial assistance awarded under the Program that could have been created or advanced without a grant or financial assistance awarded under the Program; and

(C) a description of the impact of the Program on knowledge transfer and commercialization.

(3) FINAL REPORT OF THE SECRETARY.—Not later than 180 days after the date on which amounts appropriated for the Program are expended, the Secretary shall submit to the committees described in paragraph (2) a final report containing the information described in subparagraphs (A), (B), and (C) of that paragraph.

SEC. 2704. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out the Program $10,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

SA 1761. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PERMANENCY OF SBIR AND STTR PROGRAMS.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking ''TERMINATION'' and inserting ''SBIR PROGRAM AUTHORIZATION''; and

(2) by striking ''terminate on September 30, 2022'' and inserting ''be in effect for each fiscal year''.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking ''through fiscal year 2022''.

SA 1762. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 2219. STAFF TO ENSURE GRANT COMPLIANCE.

Notwithstanding any other provision of law, the Director shall dedicate staff from the Foundation to ensure compliance with grants awarded by the Foundation to ensure foreign government talent recruitment programs do not misappropriate funding from the Foundation.

SA 1763. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NON-FEDERAL WITNESS DISCLOSURE OF GRANTS, PAYMENTS, AND CONTRACT AWARDS FROM FOREIGN GOVERNMENTS.

(a) DEFINITIONS.—In this section—

(1) the term ''covered period'' means the period—

(A) beginning on January 1 of the year that is 2 years before the year during which a non-Federal witness appears as a witness; and

(B) ending on the date on which the proposed testimony of the non-Federal witness is submitted;

(2) the term ''foreign government award'' means a grant, payment, or contract award, or a promise thereof, from a foreign government; and

(3) the term ''non-Federal witness'' means an individual appearing as witness at a hearing of a committee of the Senate, or a subcommittee thereof, on behalf of any person or entity other than the Federal Government.

(b) WRITTEN DISCLOSURE.—The written statement of the proposed testimony of a non-Federal witness should, to the maximum extent practicable, disclose—

(1) any foreign government award relating to the subject matter of the hearing that was received or earned during the covered period by the non-Federal witness or the person or entity on behalf of which the non-Federal witness is appearing;

(2) whether the non-Federal witness or the person or entity on behalf of which the non-Federal witness is appearing is negotiating or awaiting approval to receive a foreign government award; and

(3) whether the non-Federal witness is registered as an agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.).

(c) CONTENTS.—A disclosure by a non-Federal witness under subsection (b) should include, for each foreign government award, the amount of and identity of the foreign government making the foreign government award.

(d) AVAILABILITY.—A written statement of the proposed testimony of a non-Federal witness, with appropriate redactions to protect the privacy or security of the non-Federal witness, shall be made publicly available in electronic form not later than 1 day after the witness appears at the applicable hearing.

SA 1764. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF DEFENSE DATA STRATEGY.

(a) STRATEGY AND BRIEFING REQUIRED.—Not later than January 31, 2022, the Chief Information Officer of the Department of Defense shall, in consultation with the Director of the Defense Information Systems Agency—

(1) develop a strategy that includes the elements set forth under subsection (b); and

(2) brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the strategy developed under paragraph (1).

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

(1) A plan for incorporating standards laid out by the 2020 Department of Defense Data Strategy in policies governing personnel and acquisition of goods and services.

(2) A plan for how the Department will incorporate technology solutions necessary to ensure data security is independent from network security, including technology that allows for attribution and location based controls.

(3) A detailed set of criteria for determining authorized users of data and how technological solutions could enhance policies focused on data protection that is tailored to authorized users.

(4) A description of how security and data classification standards could be harmonized across elements of the Department and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to ensure more seamless information sharing, that includes an analysis of network or data security solutions that could help automate that process and implement classification policies and procedures.

SA 1765. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division F, insert the following:

SEC. 63___. STUDY ON NATIONAL LABORATORY CONSORTIUM FOR ANALYSIS OF THE EFFECT OF SMALL MODULAR REACTORS ON POWER GRID STABILITY AND RESILIENCE.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) 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).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) STUDY REQUIRED.—The Secretary, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, shall conduct a study to analyze the feasibility of authorizing a consortium within the National Laboratory system to address the effects of advanced nuclear technology in the form of small modular reactors on the stability and resiliency of the United States power grid.

(c) ELEMENTS.—The study required under subsection (b) shall include the following:

(1) An analysis of any additional authorities needed to establish a research and development program to leverage the expertise of the National Laboratories to accelerate the development and deployment of advanced tools and techniques to simulate the stability and resilience of the power grid to adverse natural and man-made threats.

(2) An evaluation of potential pilot programs involving research, innovation transfer, academic partnerships, and industry partnerships for power grid simulation research.

(3) The use of existing Department programs and projects, including—

(A) the North American Energy Resilience Model;

(B) the nuclear reactor computer models developed by the Department; and

(C) the supercomputing centers of the Department.

(4) An assessment of, and cost estimates for, near-term actions necessary for the proposed consortium to launch expediently at a broad scale.

(d) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Energy and Natural Resources and Homeland Security and Governmental Affairs of the Senate and the Committees on Energy and Commerce and Homeland Security of the House of Representatives a report on the results of the study conducted under subsection (b), which may include a classified annex, if necessary.

SA 1766. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In title V of division B, at the end add the following:

SEC. 25___. ACTION TO PREVENT PARAMILITARY ACTORS FROM PARTICIPATING IN INTERNATIONAL FISHERIES.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretaries of Defense, Commerce, Treasury, and Homeland Security shall promulgate and implement regulations to—

(1) coordinate in identifying foreign fishing vessels that engage in paramilitary operations; and

(2) report such vessels to each international fisheries management organization in which the United States is a member for inclusion in each such organization's respective Illegal, Unreported and Unregulated fishing vessel list.

(b) DEFINITION OF PARAMILITARY OPERATIONS.—In this section, the term ''paramilitary operations''—

(1) means actions taken by the operator of a fishing vessel to attack or intimidate vessels operating in international waters, or the exclusive economic zone of a foreign country, by firing upon a vessel, ramming a vessel, intentionally maneuvering near another vessel in an unsafe manner with intent to frighten or intimidate, intentionally entering or remaining within the exclusive economic zone of a foreign country without the permission of the government of that country, or otherwise violating the United Nations Convention on the Law of the Sea while coordinating with the military of a foreign country in a military operation; and

(2) includes efforts to gather and report military intelligence on behalf of a foreign country.

SA 1767. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FEDERAL ACQUISITION AND CONTRACTING TRANSPARENCY.

(a) REQUIREMENT TO DISCLOSE CONTRACTS AND TIES WITH PEOPLE'S REPUBLIC OF CHINA ENTITIES.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to require that a contractor shall, as a condition for being awarded a contract for the procurement of goods or services, disclose covered information related to any contracts or other relevant commercial ties the contractor, first tier subcontractor, or any related entity has that are in effect at the time of contract award, or has had within the previous three years that are no longer in effect, with a covered entity. The contractor shall update such disclosure not later than 30 days after the contractor, first tier subcontractor, or any related entity enters into or renews a contract or other relevant commercial ties with a covered entity.

(b) DATABASE OF FEDERAL CONTRACTOR CONTRACTS WITH CHINESE ENTITIES.—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall establish and maintain a public database containing the information about contracts with covered entities disclosed pursuant to subsection (a).

(c) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term ''covered entity'' means—

(A) the Government of the People's Republic of China;

(B) the Chinese Communist Party (CCP);

(C) the Chinese military;

(D) an entity owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People's Republic of China, the CCP, or the Chinese military, including any entity for which the Government of the People's Republic of China, the CCP, or the Chinese military has the ability, through ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide for an entity an important matter;

(E) a parent, subsidiary, or affiliate of an entity described in subparagraph (D); and

(F) an entity substantively involved in People's Republic of China economic and industrial policies or military-civil fusion, including by accepting funding, performing services, or receiving subsidies, or with responsibilities for overseeing economic development projects, including Made in China 2025 and the Belt and Road Initiative.

(2) COVERED INFORMATION.—The term ''covered information'' means—

(A) the name of the covered entity;

(B) the relationship of the covered entity to the Government of the People's Republic of China, the Chinese Communist Party, or the Chinese military;

(C) the general terms of the contract;

(D) the date the contract was entered into; and

(E) the duration of the contract.

(3) RELATED ENTITY.—The term ''related entity'' means, with respect to a contractor or first tier subcontractor, a parent, subsidiary, affiliate, or other entity controlled by the contractor or first tier subcontractor.

SA 1768. Ms. ROSEN (for herself, Ms. COLLINS, and Mr. YOUNG) submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. UNITED STATES-ISRAEL CYBERSECURITY COOPERATION.

(a) DEFINITIONS.—In this section—

(1) the term ''cybersecurity research'' means research, including social science research, into ways to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(2) the term ''cybersecurity technology'' means technology intended to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(3) the term ''cybersecurity threat'' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501);

(4) the term ''Department'' means the Department of Homeland Security;

(5) 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); and

(6) the term ''Secretary'' means the Secretary of Homeland Security.

(b) GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary, in accordance with the agreement entitled the ''Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters'', dated May 29, 2008 (or successor agreement), and the requirements specified in paragraph (2), shall establish a grant program at the Department to support—

(A) cybersecurity research and development; and

(B) demonstration and commercialization of cybersecurity technology.

(2) REQUIREMENTS.—

(A) APPLICABILITY.—Notwithstanding any other provision of law, in carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, the Secretary shall require cost sharing in accordance with this paragraph.

(B) RESEARCH AND DEVELOPMENT.—

(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall require not less than 50 percent of the cost of a research, development, demonstration, or commercial application program or activity described in subparagraph (A) to be provided by a non-Federal source.

(ii) REDUCTION.—The Secretary may reduce or eliminate, on a case-by-case basis, the percentage requirement specified in clause (i) if the Secretary determines that the reduction or elimination is necessary and appropriate.

(C) MERIT REVIEW.—In carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, awards shall be made only after an impartial review of the scientific and technical merit of the proposals for the awards has been carried out by or for the Department.

(D) REVIEW PROCESSES.—In carrying out a review under subparagraph (C), the Secretary may use merit review processes developed under section 302(14) of the Homeland Security Act of 2002 (6 U.S.C. 182(14)).

(3) ELIGIBLE APPLICANTS.—An applicant shall be eligible to receive a grant under this subsection if—

(A) the project of the applicant—

(i) addresses a requirement in the area of cybersecurity research or cybersecurity technology, as determined by the Secretary; and

(ii) is a joint venture between—

(I)(aa) a for-profit business entity, academic institution, National Laboratory, or nonprofit entity in the United States; and

(bb) a for-profit business entity, academic institution, or nonprofit entity in Israel; or

(II)(aa) the Federal Government; and

(bb) the Government of Israel; and

(B) neither the applicant nor the project of the applicant pose a counterintelligence threat, as determined by the Director of National Intelligence.

(4) APPLICATIONS.—To be eligible to receive a grant under this subsection, an applicant shall submit to the Secretary an application for the grant in accordance with procedures established by the Secretary, in consultation with the advisory board established under paragraph (5).

(5) ADVISORY BOARD.—

(A) ESTABLISHMENT.—The Secretary shall establish an advisory board to—

(i) monitor the method by which grants are awarded under this subsection; and

(ii) provide to the Secretary periodic performance reviews of actions taken to carry out this subsection.

(B) COMPOSITION.—The advisory board established under subparagraph (A) shall be composed of 3 members, to be appointed by the Secretary, of whom—

(i) 1 shall be a representative of the Federal Government;

(ii) 1 shall be selected from a list of nominees provided by the United States-Israel Binational Science Foundation; and

(iii) 1 shall be selected from a list of nominees provided by the United States-Israel Binational Industrial Research and Development Foundation.

(6) CONTRIBUTED FUNDS.—Notwithstanding any other provision of law—

(A) the Secretary may accept or retain funds contributed by any person, government entity, or organization for purposes of carrying out this subsection; and

(B) the funds described in subparagraph (A) shall be available, subject to appropriation, without fiscal year limitation.

(7) REPORTS.—

(A) GRANT RECIPIENTS.—Not later than 180 days after the date of completion of a project for which a grant is provided under this subsection, the grant recipient shall submit to the Secretary a report that contains—

(i) a description of how the grant funds were used by the recipient; and

(ii) an evaluation of the level of success of each project funded by the grant.

(B) SECRETARY.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the grant program established under this section terminates, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the grants awarded and projects completed under the program.

(8) CLASSIFICATION.—Grants shall be awarded under this subsection only for projects that are considered to be unclassified by both the United States and Israel.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section not less than $6,000,000 for each of fiscal years 2022 through 2026.

SA 1769. Mr. MENENDEZ (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 2528. NATIONAL SUPPLY CHAIN DATABASE.

(a) ESTABLISHMENT OF NATIONAL SUPPLY CHAIN DATABASE.—The Director of the National Institute of Standards and Technology (referred to in this Act as the ''NIST'') shall establish a National Supply Chain Database that will assist the Nation in minimizing disruptions in the supply chain by having an assessment of United States manufacturers' capabilities.

(b) CONNECTIONS WITH STATE MANUFACTURING EXTENSION PARTNERSHIPS.—

(1) IN GENERAL.—The infrastructure for the National Supply Chain Database shall be created through the Hollings Manufacturing Extension Partnership (MEP) program of the National Institute of Standards and Technology by connecting the Hollings Manufacturing Extension Partnerships Centers through the National Supply Chain Database.

(2) NATIONAL VIEW.—The connection provided through the National Supply Chain Database shall provide a national view of the supply chain and enable the National Institute of Standards and Technology to understand whether there is a need for some manufacturers to retool in some key areas to meet the need of urgent products, such as defense supplies, food, and medical devices, including personal protective equipment.

(3) INDIVIDUAL STATE DATABASES.—Each State's supply chain database maintained by the NIST- recognized Manufacturing Extension Partnership Center within the State shall be complementary in design to the National Supply Chain Database.

(c) MAINTENANCE OF NATIONAL SUPPLY CHAIN DATABASE.—The Hollings Manufacturing Extension Partnership program or its designee shall maintain the National Supply Chain Database as an integration of the State level databases from each State's Manufacturing Extension Partnership Center and may be populated with information from past, current, or potential Center clients.

(d) DATABASE CONTENT.—

(1) IN GENERAL.—The National Supply Chain Database may—

(A) provide basic company information;

(B) provide an overview of capabilities, accreditations, and products;

(C) contain proprietary information; and

(D) include other items determined necessary by the Director of the NIST.

(2) SEARCHABLE DATABASE.—The National Supply Chain Database shall use the North American Industry Classification System (NAICS) Codes as follows:

(A) Sector 31-33—Manufacturing.

(B) Sector 54—Professional, Scientific, and Technical Services.

(C) Sector 48-49—Transportation and Warehousing.

(3) LEVELS.—The National Supply Chain Database shall be multi-leveled as follows:

(A) Level 1 shall have basic company information and shall be available to the public.

(B) Level 2 shall have a deeper overview into capabilities, products, and accreditations and shall be available to all companies that contribute to the database and agree to terms of mutual disclosure.

(C) Level 3 shall hold proprietary information.

(4) EXEMPT FROM PUBLIC DISCLOSURE.—The National Supply Chain Database and any information related to it not publicly released by NIST shall be exempt from public disclosure under section 552 of title 5, United States Code, and access to non-public content shall be limited to the contributing company and Manufacturing Extension Partnership Center staff who sign an appropriate non-disclosure agreement.

(e) RULES OF CONSTRUCTION.—

(1) PRIVATE ENTITIES.—Nothing in this section shall be construed to require any private entity to share data with the Director of the National Institute of Standards and Technology relating to the National Supply Chain Database.

(2) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this section shall be construed to grant the Director of the National Institute of Standards and Technology, or the head of any other Federal agency, with any authority to promulgate regulations or set standards on manufacturers, based on data within the National Supply Chain Database, that was not in effect on the day before the date of enactment of this Act.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) $31,000,000 for fiscal year 2021 to develop and launch the National Supply Chain Database; and

(2) $26,000,000 for each of fiscal years 2022 through 2025 to maintain, update, and support Federal coordination of the State supply chain databases maintained by the State Manufacturing Extension Partnerships.

SA 1770. Mr. MANCHIN (for himself, Mrs. CAPITO, Ms. CORTEZ MASTO, Mr. GRASSLEY, Ms. ERNST, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 188, strike lines 2 through 25 and insert the following:

(a) CRITICAL MINERALS MINING RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Secretary of Energy, in coordination with the Director, shall issue awards, on a competitive basis, to National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), institutions of higher education, or nonprofit organizations (or consortia of such institutions or organizations, including consortia that collaborate with private industry) to support basic research that will accelerate innovation to advance critical minerals mining strategies and technologies for the purpose of making better use of domestic resources and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) USE OF FUNDS.—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing and geochemical

SA 1771. Mr. BRAUN (for himself, Mr. DAINES, and Mr. LANKFORD) submitted

an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON CERTAIN HUMAN-ANIMAL CHIMERAS.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 51 the following:

"CHAPTER 52—CERTAIN TYPES OF HUMAN-ANIMAL CHIMERAS PROHIBITED

''Sec.
''1131. Definitions.
''1132. Prohibition on human-animal chimeras.

"§ 1131. Definitions

''In this chapter:

''(1) HUMAN EMBRYO.—The term 'human embryo' means an organism of the species Homo sapiens during the earliest stages of development, from 1 cell up to 8 weeks after conception.

''(2) PROHIBITED HUMAN-ANIMAL CHIMERA.—The term 'prohibited human-animal chimera' means—

''(A) a human embryo into which a nonhuman cell or cells (or the component parts thereof) have been introduced to render the embryo's membership in the species Homo sapiens uncertain;

''(B) a human-animal embryo produced by fertilizing a human egg with nonhuman sperm;

''(C) a human-animal embryo produced by fertilizing a nonhuman egg with human sperm;

''(D) an embryo produced by introducing a nonhuman nucleus into a human egg;

''(E) an embryo produced by introducing a human nucleus into a nonhuman egg;

''(F) an embryo containing at least haploid sets of chromosomes from both a human and a nonhuman life form;

''(G) a nonhuman life form engineered such that human gametes develop within the body of a nonhuman life form;

''(H) a nonhuman life form engineered such that it contains a human brain or a brain derived wholly or predominantly from human neural tissues;

''(I) nonhuman life form engineered such that it exhibits human facial features or other bodily morphologies to resemble human features; or

''(J) an embryo produced by mixing human and nonhuman cells, such that—

''(i) human gametes develop within the body of the resultant organism;

''(ii) it contains a human brain or a brain derived wholly or predominantly from human neural tissues; or

''(iii) it exhibits human facial features or other bodily morphologies to resemble human features.

"§ 1132. Prohibition on certain human-animal chimeras

''(a) IN GENERAL.—It shall be unlawful for any person to knowingly, in or otherwise affecting interstate commerce—

''(1) create or attempt to create a prohibited human-animal chimera;

''(2) transfer or attempt to transfer a human embryo into a nonhuman womb;

''(3) transfer or attempt to transfer a nonhuman embryo into a human womb; or

''(4) transport or receive for any purpose a prohibited human-animal chimera.

''(b) PENALTIES.—

''(1) IN GENERAL.—Whoever violates subsection (a) shall be fined under this title, imprisoned not more than 10 years, or both.

''(2) CIVIL PENALTY.—Whoever violates subsection (a) shall be subject to a civil fine of the greater of—

''(A) $1,000,000; or

''(B) the amount equal to twice the amount of the gross pecuniary gain, if any.

''(c) RULE OF CONSTRUCTION.—This section does not prohibit research involving the use of transgenic animal models containing human genes or transplantation of human organs, tissues, or cells into recipient animals, if such activities are not prohibited under subsection (a).''.

(b) TECHNICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 51 the following:

"52. Certain types of human-animal chimeras prohibited 1131.".

SA 1772. Mr. LANKFORD (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONGRESSIONAL REVIEW PROCEDURES FOR WAIVER OF OBLIGATIONS WITH RESPECT TO VACCINES OR OTHER BIOTECHNOLOGY COMMODITIES UNDER THE AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS.

Section 122 of the Uruguay Round Agreements Act (19 U.S.C. 3532) is amended by adding at the end the following:

''(e) APPROVAL BY CONGRESS OF CERTAIN WAIVERS WITH RESPECT TO VACCINES OR OTHER BIOTECHNOLOGY COMMODITIES.—

''(1) IN GENERAL.—A waiver described in paragraph (2) granted under subsection (b)(2) shall not enter into force with respect to the United States, and no funds shall be used by the Secretary of Commerce, the Secretary of Health and Human Services, or the Trade Representative to implement the terms of that waiver, unless—

''(A) the President submits the text of the proposed waiver agreement to the appropriate congressional committees; and

''(B) a joint resolution is enacted approving the waiver not later than 180 days after the later of the date on which—

''(i) the report under subsection (c)(2)(A) with respect to that waiver is submitted; or

''(ii) the text of the proposed waiver agreement under subparagraph (A) is submitted.

''(2) WAIVER DESCRIBED.—A waiver described in this paragraph is a waiver of certain provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) for a vaccine or other biotechnology commodity.

''(3) INTRODUCTION AND REFERRAL OF JOINT RESOLUTION.—A joint resolution under paragraph (1)(B) may be introduced by any member of Congress and shall be referred—

''(A) in the Senate, to the Committee on Finance; and

''(B) in the House of Representatives, to the Committee on Ways and Means.''.

SA 1773. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROCESS FOR EXCLUDING ARTICLES IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA FROM CERTAIN DUTIES IMPOSED UNDER SECTION 301 OF THE TRADE ACT OF 1974.

(a) ESTABLISHMENT OF EXCLUSION PROCESS.—Notwithstanding any other provision of law, the President shall establish, in consultation with the United States International Trade Commission (in this section referred to as the ''Commission''), a process pursuant to which United States entities and associations of such entities may request the exclusion of articles imported from the People's Republic of China from duties described in subsection (b).

(b) DUTIES DESCRIBED.—The duties described in this subsection are duties imposed on or after September 24, 2018, pursuant to the investigation—

(1) initiated under section 301 of the Trade Act of 1974 (19 U.S.C. 2411) on August 18, 2017; and

(2) with respect to which notice was published in the Federal Register on August 24, 2017 (82 Fed. Reg. 40213).

(c) IMPLEMENTATION OF EXCLUSION PROCESS.—In implementing the process established under subsection (a), the President shall exclude from the imposition of a duty described in subsection (b) an article imported from the People's Republic of China if the President determines—

(1)(A) the article is not commercially available (as defined by the Commission) outside of the People's Republic of China, or is not produced outside of the People's Republic of China at a cost-competitive price at commercial scale;

(B) the imposition of the duty on the article would increase consumer prices for day-to-day items consumed by low- or middle-income families in the United States; or

(C) the article has not been found by a Federal agency to have directly benefited from the non-market-based policies of the People's Republic of China, including elements of the Made in China 2025 policy; and

(2) the exclusion of the article can likely be administered by U.S. Customs and Border Protection.

(d) DETERMINATION OF INCREASED CONSUMER PRICES.—The President shall determine under subsection (c)(1)(B) that the imposition of a duty would increase consumer prices for day-to-day items consumed by low- or middle-income families in the United States if imposition of the duty would cause an increase in—

(1) the cost of an article listed in Appendix 1 to chapter 17 of the Handbook of Methods of the Bureau of Labor Statistics of the Department of Labor, dated February 14, 2018; or

(2) the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics.

(e) COLLECTION OF DUTIES.—No duty described in subsection (b) imposed on an article imported into the United States from the People's Republic of China on or after the date of the enactment of this Act shall be collected on an article until the President has established the exclusion process required by subsection (a).

(f) RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.—

(1) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, any entry of an article imported from the People's Republic of China that would have been subject to a lower rate of duty if the entry had been made after the issuance of an exclusion of the article from the imposition of a duty described in subsection (b) pursuant to the exclusion process established under subsection (a), that was made—

(A) after the imposition of the duty described in subsection (b) with respect to that article; and

(B) before the issuance of the exclusion,

shall be liquidated or reliquidated as though the entry occurred after the issuance of the exclusion.

(2) REQUESTS.—A liquidation or reliquidation may be made under paragraph (1) with respect to an entry of an article only if a request therefor is filed with U.S. Customs and Border Protection not later than 180 days after the issuance of an exclusion described in paragraph (1) with respect to that article that contains sufficient information to enable U.S. Customs and Border Protection—

(A) to locate the entry; or

(B) to reconstruct the entry if it cannot be located.

(3) PAYMENTS OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry of an article under paragraph (1) shall be paid, without interest, not later than 90 days after the date of the liquidation or reliquidation (as the case may be).

(g) EXCLUSION PROCESS ESTABLISHED BY USTR.—If the United States Trade Representative establishes an exclusion process as described under the heading ''SALARIES AND EXPENSES'' under the heading ''OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE'' in title IV of division C of the joint explanatory statement of the committee of conference accompanying the Consolidated Appropriations Act, 2019 (Public Law 116–6), the Trade Representative shall establish that process in accordance with this section.

(h) DEFINITIONS.—In this section:

(1) ENTRY.—The term ''entry'' includes a withdrawal from warehouse for consumption.

(2) UNITED STATES ENTITY.—The term ''United States entity'' means an entity organized under the laws of the United States or any jurisdiction within the United States.

SA 1774. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division C, add the following:

SEC. 3117. SENSE OF CONGRESS AND REPORT ON ENSURING RELIABLE SUPPLY OF RARE EARTH MINERALS.

(a) FINDINGS; SENSE OF CONGRESS.—

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

(A) The People's Republic of China is the global leader in mining, refining, and component manufacturing of rare earth elements, producing approximately 85 percent of the world's supply between 2011 and 2017.

(B) In 2019, the United States imported an estimated 80 percent of its rare earth compounds from the People's Republic of China.

(C) On March 26, 2014, the World Trade Organization ruled that the People's Republic of China's export restraints on rare earth minerals violated its obligations under its protocol of accession to the World Trade Organization, thereby harming United States manufacturers and workers.

(D) The Chinese Communist Party has threatened to leverage the People's Republic of China's dominant position in the rare earth market to ''strike back'' at the United States.

(E) The Quadrilateral Security Dialogue is an effective partnership for reliable multilateral financing, development, and distribution of goods for global consumption, as evidenced by the Quad Vaccine Partnership announced on March 12, 2021.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the People's Republic of China's dominant share of the global rare earth mining market is a threat to the economic stability, well being, and competitiveness of key industries in the United States;

(B) the United States should reduce reliance on the People's Republic of China for rare earth minerals through—

(i) strategic investments in development projects, production technologies, and refining facilities in the United States; or

(ii) in partnership with strategic allies of the United States that are reliable trading partners, including members of the Quadrilateral Security Dialogue; and

(C) the United States Trade Representative should initiate multilateral talks among the countries of the Quadrilateral Security Dialogue to promote shared investment and development of rare earth minerals.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the United States Trade Representative, in consultation with the officials specified in paragraph (3), shall submit to the appropriate congressional committees a report on the work of the Trade Representative to address the national security threat posed by the People's Republic of China's control of nearly ⅔ of the global supply of rare earth minerals.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a description of the extent of the engagement of the United States with the other countries of the Quadrilateral Security Dialogue to promote shared investment and development of rare earth minerals during the period beginning on the date of the enactment of this Act and ending on the date of the report; and

(B) a description of the plans of the President to leverage the partnership of the countries of the Quadrilateral Security Dialogue to produce a more reliable and secure global supply chain of rare earth minerals.

(3) OFFICIALS SPECIFIED.—The officials specified in this paragraph are the following:

(A) The Secretary of State.

(B) the Secretary of Commerce.

(C) The Chief Executive Officer of the United States International Development Finance Corporation.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Finance, the Committee on Foreign Relations, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Ways and Means, the Committee on Foreign Affairs, and the Committee on Energy and Commerce of the House of Representatives.

SA 1775. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2107(c), add the following: ''The Director shall require not less than 20 percent of the cost of a research and development activity described in subsection (a) to be provided by a non-Federal source.''.

SA 1776. Mr. LANKFORD (for himself, Mr. KING, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 63___. LOAN GUARANTEES FOR PROJECTS THAT INCREASE THE DOMESTIC SUPPLY OF CRITICAL MINERALS.

(a) IN GENERAL.—Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by adding at the end the following:

''(13) Projects that increase the domestic supply of critical minerals (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)), including through the production, processing, and recycling of critical minerals and the fabrication of mineral alternatives.''.

(b) PROHIBITION ON USE OF APPROPRIATED FUNDS.—Amounts appropriated to the Department of Energy before the date of enactment of this Act shall not be made available for the cost of loan guarantees made under paragraph (13) of section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)).

SA 1777. Mr. RUBIO (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a

strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 818, beginning on line 16, strike ''(b) RULE OF CONSTRUCTION.—Nothing in this paragraph'' and insert the following:

(b) REPRESENTATIVE TITLE FOR DIRECTOR OF AMERICAN INSTITUTE IN TAIWAN'S TAIPEI OFFICE.—The position of Director of the American Institute in Taiwan's Taipei office shall have the title of Representative.

(c) RULE OF CONSTRUCTION.—Nothing in this section

SA 1778. Mr. RUBIO (for himself, Mr. CARDIN, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division E, add the following:

Subtitle C—South China Sea and East China Sea Sanctions Act

SEC. 5221. SHORT TITLE.

This subtitle may be cited as the ''South China Sea and East China Sea Sanctions Act of 2021''.

SEC. 5222. SANCTIONS WITH RESPECT TO CHINESE PERSONS RESPONSIBLE FOR CHINA'S ACTIVITIES IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

(a) INITIAL IMPOSITION OF SANCTIONS.—On and after the date that is 120 days after the date of the enactment of this Act, the President may impose the sanctions described in subsection (b) with respect to any Chinese person that the President determines—

(1) is responsible for or significantly contributes to large-scale reclamation, construction, militarization, or ongoing supply of disputed outposts in the South China Sea;

(2) is responsible for or significantly contributes to, or has engaged in, directly or indirectly, actions or policies using coercion to inhibit another country from protecting its sovereign rights to access offshore resources in the South China Sea, including in such country's exclusive economic zone, consistent with such country's rights and obligations under international law;

(3) is responsible for or complicit in, or has engaged in, directly or indirectly, actions or policies that significantly threaten the peace, security, or stability of disputed areas of the South China Sea or areas of the East China Sea administered by Japan or the Republic of Korea, including through the use of vessels and aircraft by the People's Republic of China to occupy or conduct extensive research or drilling activity in those areas;

(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to, or in support of, any person subject to sanctions pursuant to paragraphs (1), (2), or (3); or

(5) is owned or controlled by, or has acted or purported to act for or on behalf of, directly or indirectly, any person subject to sanctions pursuant to paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed with respect to a person described in subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien, the alien may be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subparagraph (A) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) may—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the alien's possession.

(3) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the person.

(4) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to the person under—

(A) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(B) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(5) INCLUSION ON ENTITY LIST.—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(6) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the person.

(7) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person.

(8) CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—In the case of a foreign financial institution, the President may prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by the foreign financial institution.

(c) EXCEPTIONS.—

(1) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of subsection (b)(1).

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraphs (2) and (3) of subsection (b) shall not apply if admission of an alien to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success, June 26, 1947, and entered into force, November 21, 1947, between the United Nations and the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(d) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(e) DEFINITIONS.—In this section:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) ALIEN.—The term ''alien'' has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(3) CHINESE PERSON.—The term ''Chinese person'' means—

(A) an individual who is a citizen or national of the People's Republic of China; or

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

(4) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) PERSON.—The term ''person'' means any individual or entity.

(7) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 5223. PROHIBITION AGAINST DOCUMENTS PORTRAYING THE SOUTH CHINA SEA OR THE EAST CHINA SEA AS PART OF CHINA.

The Government Publishing Office may not publish any map, document, record, electronic resource, or other paper of the United States (other than materials relating to hearings held by committees of Congress or internal work product of a Federal agency) portraying or otherwise indicating that it is the position of the United States that the territory or airspace in the South China Sea that is disputed among two or more parties or the territory or airspace of areas administered by Japan or the Republic of Korea, including in the East China Sea, is part of the territory or airspace of the People's Republic of China.

SEC. 5224. AUTHORIZATION TO PROHIBIT CERTAIN ASSISTANCE TO COUNTRIES THAT RECOGNIZE CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) PROHIBITION.—Except as provided by subsection (c) or (d), no amounts may be obligated or expended to provide foreign assistance to the government of any country identified in a report required by subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary of State shall submit to the appropriate committees of Congress a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People's Republic of China over territory or airspace disputed by one or more countries in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(3) PUBLIC AVAILABILITY.—The Secretary of State shall publish the unclassified part of the report required by paragraph (1) on a publicly available website of the Department of State.

(c) EXCEPTION.—This section shall not apply with respect to Taiwan, counterterrorism activities, counternarcotics activities, global health assistance, humanitarian assistance, disaster assistance, or emergency food assistance.

(d) WAIVER.—The President may waive the application of subsection (a) with respect to the government of a country if the President determines that the waiver is in the national interests of the United States.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1779. Mr. MORAN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REGIONAL INNOVATION CLUSTERS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) AWARD.—The term ''award'' means a contract, grant, or cooperative agreement.

(3) CLUSTER INITIATIVE.—The term ''Cluster Initiative'' means a formally organized effort to promote the growth and competitiveness of an industry sector through collaborative activities among Industry Cluster participants that is led by—

(A) a State;

(B) an Indian Tribe;

(C) a city or other political subdivision of a State;

(D) a nonprofit organization, including an institution of higher education or a venture development organization; or

(E) a small business concern.

(4) INDUSTRY CLUSTER.—The term ''Industry Cluster'' means a geographic concentration, relative to the size of the region under consideration, of interconnected businesses, suppliers, service providers, and associated institutions in an industry sector, including advanced manufacturing, precision agriculture, cybersecurity, biosciences, water technologies, energy production and efficiency, and outdoor recreation.

(5) 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).

(6) 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).

(7) 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).

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

(b) SUPPORTING INDUSTRY CLUSTERS.—

(1) AUTHORIZATION.—The Administrator shall enter into contracts with Cluster Initiatives that strengthen Industry Clusters in accordance with the requirements under this subsection.

(2) INDUSTRY CLUSTER OUTCOMES.—Cluster Initiatives shall be assessed according to their performance along the following metrics:

(A) Growth in number of small business concerns participating in the Industry Cluster and support industries.

(B) Growth in number of small business concern startups in the Industry Cluster.

(C) Growth in total capital, including revenue and equity investments, flowing to small business concern participants in the Industry Cluster.

(D) Growth in job creation by small business concerns or, in regions with declining total employment, job retention by small business concerns in the Industry Cluster.

(E) Growth in new products, services, or business lines.

(F) Growth in new technologies developed within the Industry Cluster.

(3) REPORTING.—The Administrator shall require Cluster Initiatives to submit annual reports documenting the outcomes in paragraph (2) and the activities contributing to those outcomes.

(4) SELECTION CRITERIA.—In entering into contracts with Cluster Initiatives under this subsection, the Administrator shall consider—

(A) the probable impact of the Cluster Initiative on the competitiveness of the Industry Cluster, including—

(i) whether the Cluster Initiative will be inclusive of any and all organizations that might benefit from participation, including startups, small business concerns not locally owned, and small business concerns rival to existing members of the Industry Cluster; and

(ii) whether the Cluster Initiative will encourage broad participation by and collaboration among all types of participants;

(B) if the proposed Cluster Initiative fits within a broader and achievable economic development strategy;

(C) the capacity and commitment of the sponsoring organization of the Cluster Initiative organization, including—

(i) the expected ability of the Cluster Initiative to access additional funds from other sources; and

(ii) the capacity of the Cluster Initiative to sustain activities once grant funds have been expended;

(D) the degree of involvement from relevant State and regional economic and workforce development organizations, other public purpose institutions (such as universities, community colleges, venture development organizations, and workforce boards), and the private sector, including industry associations; and

(E) the extent to which economic diversity across regions of the United States would be increased through the contract.

(5) INITIAL AWARD.—The Administrator may enter into a 1-year award not to exceed $1,000,000 with each Cluster Initiative.

(6) RENEWAL.—

(A) IN GENERAL.—The Administrator may renew an award entered into with a Cluster Initiative under paragraph (5)—

(i) for 1 year in an amount not to exceed $750,000 per year; and

(ii) for a total period not to exceed 5 years.

(B) REQUIREMENT.—A Cluster Initiative shall compete in a new funding opportunity to receive any further awards under this subsection.

(7) CLUSTER INITIATIVE RESOURCES.—

(A) IN GENERAL.—The Administrator may not enter into a contract under this subsection that would provide more than two-thirds of the revenue of the entity receiving the award.

(B) EXCEPTION.—The Administrator may make an award providing a higher percentage of the revenue of the entity receiving the award if the recipient adequately demonstrates that the Cluster Initiative will be able to access additional funding, such as through the revenues of subcontractors or through a commitment of matching funds provided from regional partners.

(8) COMPETITIVE PROCESS.—The Administrator shall enter into new awards under this subsection for each year that appropriations are available.

(c) FEASIBILITY STUDY GRANTS.—

(1) IN GENERAL.—The Administrator may award grants for feasibility studies, planning, and operations to support the launch of new Cluster Initiatives.

(2) AMOUNT.—The total amount of grants awarded under paragraph (1) shall not exceed $250,000.

(3) ELIGIBLE RECIPIENTS.—The Administrator may provide grants under paragraph (1) to—

(A) a State;

(B) an Indian Tribe;

(C) a city or other political subdivision of a State; or

(D) a nonprofit organization, including an institution of higher education or a venture development organization.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $50,000,000 for fiscal year 2022 and each subsequent fiscal year to carry out this section.

SA 1780. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITING TSP INVESTMENT IN CHINA.

(a) FINDINGS.—Congress finds the following:

(1) The Thrift Savings Fund invests more than $700,000,000,000 on behalf of plan participants. As the guardian of the retirement funds of approximately 6,000,000 Federal civilian and military plan participants, it is critical that sums in the Thrift Savings Fund are not invested in securities linked to the economy of the People's Republic of China.

(2) Companies headquartered in the People's Republic of China have repeatedly committed corporate espionage, violated sanctions imposed by the United States, flouted international property laws, committed theft, and failed to comply with audit and regulatory standards designed to safeguard investors.

(3) The Thrift Savings Plan is known for its low management fees and comprehensive array of investment strategies. The provisions of this section, and the amendments made by this section, will not increase fees imposed on participants of the Thrift Savings Plan.

(4) The November 2017 selection of the MSCI ACWI Index by the Federal Retirement Thrift Investment Board, initially scheduled to be effective in 2020, would violate the terms of subsection (i) of section 8438 of title 5, United States Code, as added by subsection (b)(1) of this section.

(b) PROHIBITION ON ANY TSP FUND INVESTING IN ENTITIES ORGANIZED OR ESTABLISHED IN THE PEOPLE'S REPUBLIC OF CHINA.—

(1) IN GENERAL.—Section 8438 of title 5, United States Code, is amended by adding at the end the following:

''(i) Notwithstanding any other provision of this section, no fund established or overseen by the Board may include an investment in any security of—

''(1) an entity organized or established in the People's Republic of China; or

''(2) any subsidiary that is owned or operated by an entity described in paragraph (1).''.

(2) DIVESTITURE OF ASSETS.—Not later than 180 days after the date of enactment of this Act, the Federal Retirement Thrift Investment Board established under section 8472(a) of title 5, United States Code, shall—

(A) review whether any sums in the Thrift Savings Fund are invested in violation of subsection (i) of section 8438 of that title, as added by paragraph (1) of this subsection;

(B) if any sums are invested in the manner described in subparagraph (A), divest those sums in a manner that is consistent with the legal and fiduciary duties provided under chapter 84 of that title, or any other applicable provision of law; and

(C) reinvest any sums divested under subparagraph (B) in investments that do not violate subsection (i) of section 8438 of that title, as added by paragraph (1) of this subsection.

(c) PROHIBITION ON INVESTMENT OF TSP FUNDS IN ENTITIES ORGANIZED OR ESTABLISHED IN THE PEOPLE'S REPUBLIC OF CHINA THROUGH THE TSP MUTUAL FUND WINDOW.—Section 8438(b)(5) of title 5, United States Code, is amended by adding at the end the following:

''(E) A mutual fund accessible through a mutual fund window authorized under this paragraph may not include an investment in any security of—

''(i) an entity organized or established in the People's Republic of China; or

''(ii) any subsidiary that is owned or operated by an entity described in clause (i).''.

SA 1781. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REQUIREMENT FOR AN AUTHORIZATION FOR THE USE OF MILITARY FORCE.

Notwithstanding the War Powers Resolution (Public Law 93–148; 50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), any other provision of law, and any obligations under the Japanese Treaty, the Philippines Treaty, the U.S. Australia New Zealand Agreement, the Republic of Korea Treaty, or the Southeast Asia Treaty, the President may not introduce members of the Armed Forces into hostilities in or involving the People's Republic of China unless—

(1) such action is necessary, for a period of no longer than 30 days, to repel a sudden attack, or the concrete, specific, and immediate threat of such a sudden attack, upon the United States, its territories, or possessions, its armed forces, or other United States citizens overseas; or

(1) Congress has enacted an authorization for the use of military force.

SA 1782. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3313 and insert the following:

SEC. 3313. MODIFICATIONS TO AND REAUTHORIZATION OF SANCTIONS WITH RESPECT TO HUMAN RIGHTS VIOLATIONS.

(a) DEFINITIONS.—Section 1262 of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended by striking paragraph (2) and inserting the following:

''(2) IMMEDIATE FAMILY MEMBER.—The term 'immediate family member', with respect to a foreign person, means the spouse, parent, sibling, or adult child of the person.''.

(b) SENSE OF CONGRESS.—The Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended by inserting after section 1262 the following new section:

''SEC. 1262A. SENSE OF CONGRESS.

''It is the sense of Congress that the President should establish and regularize information sharing and sanctions-related decision making with like-minded governments possessing human rights and anti-corruption sanctions programs similar in nature to those authorized under this subtitle.''.

(c) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Subsection (a) of section 1263 of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended to read as follows:

''(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to—

''(1) any foreign person that the President determines, based on credible information—

''(A) is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuse or any violation of internationally recognized human rights;

''(B) is a current or former government official, or a person acting for or on behalf of such an official, who is responsible for or complicit in, or has directly or indirectly engaged in—

''(i) corruption, including—

''(I) the misappropriation of state assets;

''(II) the expropriation of private assets for personal gain;

''(III) corruption related to government contracts or the extraction of natural resources; or

''(IV) bribery; or

''(ii) the transfer or facilitation of the transfer of the proceeds of corruption;

''(C) is or has been a leader or official of—

''(i) an entity, including a government entity, that has engaged in, or whose members have engaged in, any of the activities described in subparagraph (A) or (B) during the tenure of the leader or official; or

''(ii) an entity whose property and interests in property are blocked pursuant to this section as a result of activities during the tenure of the leader or official;

''(D) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of—

''(i) an activity described in subparagraph (A) or (B) that is conducted by a foreign person;

''(ii) a person whose property and interests in property are blocked pursuant to this section; or

''(iii) an entity, including a government entity, that has engaged in, or whose members have engaged in, an activity described

in subparagraph (A) or (B) conducted by a foreign person; or

''(E) is owned or controlled by, or acts or is purported to act for or on behalf of, directly or indirectly, a person whose property and interests in property are blocked pursuant to this section; and

''(2) any immediate family member of a person described in paragraph (1).''.

(2) SANCTIONS DESCRIBED.—Clause (ii) of subsection (b)(2)(C) of such section is amended to read as follows:

''(ii) GOOD.—In this subparagraph, the term 'good' means any article, natural or man-made substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.''.

(3) CONSIDERATION OF CERTAIN INFORMATION.—Subsection (c)(2) of such section is amended by inserting ''corruption and'' after ''monitor''.

(4) REQUESTS BY CONGRESS.—Subsection (d) of such section is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''subsection (a)'' and inserting ''subsection (a)(1)''; and

(ii) in subparagraph (B)(i), by inserting ''or an immediate family member of the person''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking ''HUMAN RIGHTS VIOLATIONS'' and inserting ''SERIOUS HUMAN RIGHTS ABUSE OR VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS''; and

(II) by striking ''described in paragraph (1) or (2) of subsection (a)'' and inserting ''described in subsection (a)(1) relating to serious human rights abuse or any violation of internationally recognized human rights''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''described in paragraph (3) or (4) of subsection (a)'' and inserting ''described in subsection (a)(1) relating to corruption or the transfer or facilitation of the transfer of the proceeds of corruption''; and

(II) by striking ''ranking member of'' and all that follows through the period at the end and inserting ''ranking member of one of the appropriate congressional committees''.

(5) TERMINATION OF SANCTIONS.—Subsection (g) of such section is amended, in the matter preceding paragraph (1), by inserting ''and the immediate family members of that person'' after ''a person''.

(d) REPORTS TO CONGRESS.—Section 1264(a) of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) A description of additional steps taken by the President through diplomacy and assistance to foreign or security sectors to address persistent underlying causes of serious human rights abuse, violations of internationally recognized human rights, and corruption in each country in which foreign persons with respect to which sanctions have been imposed under section 1263 are located.''.

(e) REPEAL OF SUNSET.—Section 1265 of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is repealed.

SA 1783. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION G—MINORITY BUSINESS RESILIENCY

SEC. 7001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Minority Business Resiliency Act of 2021''.

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

DIVISION G—MINORITY BUSINESS RESILIENCY

Sec. 7001. Short title; table of contents.
Sec. 7002. Findings and purposes.
Sec. 7003. Definitions.
Sec. 7004. Minority Business Development Agency.

TITLE I—EXISTING INITIATIVES

Subtitle A—Market Development, Research, and Information

Sec. 7101. Private sector development.
Sec. 7102. Public sector development.
Sec. 7103. Research and information.

Subtitle B—Minority Business Development Agency Business Center Program

Sec. 7111. Definition.
Sec. 7112. Purpose.
Sec. 7113. Establishment.
Sec. 7114. Grants and cooperative agreements.
Sec. 7115. Minimizing disruptions to existing MBDA Business Center program.
Sec. 7116. Publicity.
Sec. 7117. Funding.

TITLE II—NEW INITIATIVES TO PROMOTE ECONOMIC RESILIENCY FOR MINORITY BUSINESSES

Sec. 7201. Annual diverse business forum on capital formation.
Sec. 7202. Agency study on alternative financing solutions.
Sec. 7203. Educational development relating to management and entrepreneurship.

TITLE III—RURAL MINORITY BUSINESS CENTER PROGRAM

Sec. 7301. Definitions.
Sec. 7302. Business centers.
Sec. 7303. Report to Congress.
Sec. 7304. Study and report.

TITLE IV—MINORITY BUSINESS DEVELOPMENT GRANTS

Sec. 7401. Grants to nonprofit organizations that support minority business enterprises.
Sec. 7402. Minority business grants.

TITLE V—ADMINISTRATIVE AND OTHER POWERS OF THE AGENCY; MISCELLANEOUS PROVISIONS

Sec. 7501. Administrative powers.
Sec. 7502. Federal assistance.
Sec. 7503. Audits.
Sec. 7504. Review and report by Comptroller General.
Sec. 7505. Annual reports; recommendations.
Sec. 7506. Separability.
Sec. 7507. Executive Order 11625.
Sec. 7508. Amendment to the Federal Acquisition Streamlining Act of 1994.
Sec. 7509. Authorization of appropriations.

SEC. 7002. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) During times of economic downturn or recession, communities of color, and businesses within those communities, are generally more adversely affected, which requires an expansion of the ability of the Federal Government to infuse resources into those communities.

(2) Despite the growth in the number of minority business enterprises, gaps remain with respect to key metrics for those enterprises, such as access to capital, revenue, number of employees, and survival rate. Specifically—

(A) according to the Department of Commerce, minority business enterprises are 2 to 3 times more likely to be denied loans than non-minority business enterprises;

(B) according to the Bureau of the Census, the average non-minority business enterprise reports receipts that are more than 3 times higher than receipts reported by the average minority business enterprise; and

(C) according to the Kauffman Foundation—

(i) minority business enterprises are ½ as likely to employ individuals, as compared with non-minority business enterprises; and

(ii) if minorities started and owned businesses at the same rate as non-minorities, the United States economy would have more than 1,000,000 additional employer businesses and more than 9,500,000 additional jobs.

(3) Because of the conditions described in paragraph (2), it is in the interest of the United States and the economy of the United States to expeditiously ameliorate the disparities that minority business enterprises experience.

(4) Many individuals who own minority business enterprises are socially disadvantaged because those individuals identify as members of certain groups that have suffered the effects of discriminatory practices or similar circumstances over which those individuals have no control, including individuals who are—

(A) Black or African American;

(B) Hispanic or Latino;

(C) American Indian or Alaska Native;

(D) Asian; and

(E) Native Hawaiian or other Pacific Islander.

(5) Discriminatory practices and similar circumstances described in paragraph (4) are a significant determinant of overall economic disadvantage in the United States, which is evident in the persistent racial wealth gap in the United States.

(6) While other Federal agencies focus only on small businesses and businesses that represent a broader demographic than solely minority business enterprises, the Agency focuses exclusively on—

(A) the unique needs of minority business enterprises; and

(B) enhancing the capacity of minority business enterprises.

(b) PURPOSES.—The purposes of this division are to—

(1) require the Agency to promote and administer programs in the public and private sectors to assist the development of minority business enterprises; and

(2) achieve the development described in paragraph (1) by authorizing the Assistant Secretary to carry out programs that will result in increased access to capital, management, and technology for minority business enterprises.

SEC. 7003. DEFINITIONS.

In this division:

(1) AGENCY.—The term ''Agency'' means the Minority Business Development Agency of the Department of Commerce.

(2) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Minority Business Development, who is appointed as described in section 7004(b) to administer this division.

(3) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) ELIGIBLE ENTITY.—Except as otherwise expressly provided, the term ''eligible entity''—

(A) means—

(i) a private sector entity;

(ii) a public sector entity; or

(iii) a Tribal government; and

(B) includes an institution of higher education.

(5) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given the term ''agency'' in section 551 of title 5, United States Code.

(6) FEDERALLY RECOGNIZED AREA OF ECONOMIC DISTRESS.—The term ''federally recognized area of economic distress'' means—

(A) a HUBZone, as that term is defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b));

(B) an area that—

(i) has been designated as—

(I) an empowerment zone under section 1391 of the Internal Revenue Code of 1986; or

(II) a Promise Zone by the Secretary of Housing and Urban Development; or

(ii) is a low or moderate income area, as determined by the Bureau of the Census;

(C) a qualified opportunity zone, as that term is defined in section 1400Z–1 of the Internal Revenue Code of 1986; or

(D) any other political subdivision or unincorporated area of a State determined by the Assistant Secretary to be an area of economic distress.

(7) INDIAN TRIBE.—The term ''Indian Tribe''—

(A) has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); and

(B) includes a Native Hawaiian organization.

(8) 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).

(9) MBDA BUSINESS CENTER.—The term ''MBDA Business Center'' means any business center that—

(A) is established by the Agency; and

(B) provides technical business assistance to minority business enterprises consistent with the requirements of this division.

(10) MBDA BUSINESS CENTER AGREEMENT.—The term ''MBDA Business Center agreement'' means a legal instrument—

(A) reflecting a relationship between the Agency and the recipient of a Federal assistance award that is the subject of the instrument; and

(B) that establishes the terms by which the recipient described in subparagraph (A) shall operate an MBDA Business Center.

(11) MINORITY BUSINESS ENTERPRISE.—

(A) IN GENERAL.—The term ''minority business enterprise'' means a business enterprise—

(i) that is not less than 51 percent-owned by 1 or more socially and economically disadvantaged individuals; and

(ii) the management and daily business operations of which are controlled by 1 or more socially and economically disadvantaged individuals.

(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) may be construed to exclude a business enterprise from qualifying as a ''minority business enterprise'' under that subparagraph because of—

(i) the status of the business enterprise as a for-profit or not-for-profit enterprise; or

(ii) the revenue of the business enterprise.

(12) PRIVATE SECTOR ENTITY.—The term ''private sector entity''—

(A) means an entity that is not a public sector entity; and

(B) does not include—

(i) the Federal Government;

(ii) any Federal agency; or

(iii) any instrumentality of the Federal Government.

(13) PUBLIC SECTOR ENTITY.—The term ''public sector entity'' means—

(A) a State;

(B) an agency of a State;

(C) a political subdivision of a State; or

(D) an agency of a political subdivision of a State.

(14) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(15) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—

(A) IN GENERAL.—The term ''socially and economically disadvantaged individual'' means an individual who has been subjected to racial or ethnic prejudice, or to cultural bias, because of the identity of the individual as a member of a group, without regard to any individual quality of the individual that is unrelated to that identity.

(B) PRESUMPTION.—In carrying out this division, the Assistant Secretary shall presume that the term ''socially and economically disadvantaged individual'' includes any individual who is—

(i) Black or African American;

(ii) Hispanic or Latino;

(iii) American Indian or Alaska Native;

(iv) Asian;

(v) Native Hawaiian or other Pacific Islander; or

(vi) a member of a group that the Agency determines under part 1400 of title 15, Code of Federal Regulations, as in effect on November 23, 1984, is a socially disadvantaged group eligible to receive assistance.

(16) SPECIALTY CENTER.—The term ''specialty center'' means an MBDA Business Center that provides specialty services focusing on specific business needs, including assistance relating to—

(A) capital access;

(B) Federal procurement;

(C) entrepreneurship;

(D) technology transfer; or

(E) any other area determined necessary or appropriate based on the priorities of the Agency.

(17) STATE.—The term ''State'' means—

(A) each of the States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) the United States Virgin Islands;

(E) Guam;

(F) American Samoa;

(G) the Commonwealth of the Northern Mariana Islands; and

(H) each Indian Tribe.

SEC. 7004. MINORITY BUSINESS DEVELOPMENT AGENCY.

(a) IN GENERAL.—There is within the Department of Commerce the Minority Business Development Agency.

(b) ASSISTANT SECRETARY.—

(1) APPOINTMENT AND DUTIES.—The Agency shall be headed by an Assistant Secretary of Commerce for Minority Business Development, who shall be—

(A) appointed by the President, by and with the advice and consent of the Senate; and

(B) except as otherwise expressly provided, responsible for the administration of this division.

(2) COMPENSATION.—

(A) IN GENERAL.—The Assistant Secretary shall be compensated at an annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(B) TECHNICAL AND CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended, in the item relating to Assistant Secretaries of Commerce, by striking ''(11)'' and inserting ''(12)''.

(c) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes—

(1) the organizational structure of the Agency;

(2) the organizational position of the Agency within the Department of Commerce; and

(3) a description of how the Agency shall function in relation to the operations carried out by each other component of the Department of Commerce.

(d) OFFICE OF BUSINESS CENTERS.—

(1) ESTABLISHMENT.—There is established within the Agency an Office of Business Centers.

(2) DIRECTOR.—The Office of Business Centers shall be administered by a Director, who shall be appointed by the Assistant Secretary.

(e) OFFICES OF THE AGENCY.—

(1) IN GENERAL.—In addition to the regional offices that the Assistant Secretary is required to establish under paragraph (2), the Assistant Secretary shall establish such other offices within the Agency as are necessary to carry out this division.

(2) REGIONAL OFFICES.—

(A) IN GENERAL.—In order to carry out this division, the Assistant Secretary shall establish a regional office of the Agency for each of the regions of the United States, as determined by the Assistant Secretary.

(B) DUTIES.—Each regional office established under subparagraph (A) shall expand the reach of the Agency and enable the Federal Government to better serve the needs of minority business enterprises in the region served by the office, including by—

(i) understanding and participating in the business environment of that region;

(ii) working with—

(I) MBDA Business Centers that are located in that region;

(II) resource and lending partners of the Small Business Administration and the Department of Agriculture that are located in that region; and

(III) Federal, State, and local procurement offices that are located in that region;

(iii) being aware of business retention or expansion programs that are specific to that region;

(iv) seeking out opportunities to collaborate with regional public and private programs that focus on minority business enterprises; and

(v) promoting business continuity and preparedness.

TITLE I—EXISTING INITIATIVES

Subtitle A—Market Development, Research, and Information

SEC. 7101. PRIVATE SECTOR DEVELOPMENT.

The Assistant Secretary shall, whenever the Assistant Secretary determines such action is necessary or appropriate—

(1) provide Federal assistance to minority business enterprises operating in domestic and foreign markets by making available to those business enterprises, either directly or in cooperation with private sector entities, including community-based organizations and national nonprofit organizations—

(A) resources relating to management;

(B) technological and technical assistance;

(C) financial, legal, and marketing services; and

(D) services relating to workforce development;

(2) encourage minority business enterprises to establish joint ventures and projects—

(A) with other minority business enterprises; or

(B) in cooperation with public sector entities or private sector entities, including community-based organizations and national nonprofit organizations, to increase the share of any market activity being performed by minority business enterprises; and

(3) facilitate the efforts of private sector entities and Federal agencies to advance the growth of minority business enterprises.

SEC. 7102. PUBLIC SECTOR DEVELOPMENT.

The Assistant Secretary shall, whenever the Assistant Secretary determines such action is necessary or appropriate—

(1) consult and cooperate with public sector entities for the purpose of leveraging resources available in the jurisdictions of those public sector entities to promote the position of minority business enterprises in the local economies of those public sector entities, including by assisting public sector entities to establish or enhance—

(A) programs to procure goods and services through minority business enterprises and goals for that procurement;

(B) programs offering assistance relating to—

(i) management;

(ii) technology;

(iii) law;

(iv) financing, including accounting;

(v) marketing; and

(vi) workforce development; and

(C) informational programs designed to inform minority business enterprises located in the jurisdictions of those public sector entities about the availability of programs described in this section;

(2) meet with leaders and officials of public sector entities for the purpose of recommending and promoting local administrative and legislative initiatives needed to advance the position of minority business enterprises in the local economies of those public sector entities; and

(3) facilitate the efforts of public sector entities and Federal agencies to advance the growth of minority business enterprises.

SEC. 7103. RESEARCH AND INFORMATION.

(a) IN GENERAL.—In order to achieve the purposes of this division, the Assistant Secretary—

(1) shall—

(A) collect and analyze data, including data relating to the causes of the success or failure of minority business enterprises;

(B) perform evaluations of programs carried out by Federal agencies with an emphasis on increasing coordination between Federal agencies with respect to the development of minority business enterprises;

(C) conduct research, studies, and surveys of—

(i) economic conditions generally in the United States; and

(ii) how the conditions described in clause (i) particularly affect the development of minority business enterprises; and

(D) provide outreach, educational services, and technical assistance in the 10 most commonly spoken languages in the United States to ensure that limited-English proficient individuals receive culturally and linguistically appropriate access to the services and information provided by the Agency; and

(2) may, at the request of a public sector entity or a private sector entity, perform an evaluation of programs carried out by the entity that are designed to assist the development of minority business enterprises.

(b) INFORMATION CLEARINGHOUSE.—The Assistant Secretary shall—

(1) establish and maintain an information clearinghouse for the collection and dissemination to relevant parties (including business owners and researchers) of demographic, economic, financial, managerial, and technical data relating to minority business enterprises; and

(2) take such steps as the Assistant Secretary may determine to be necessary and desirable to—

(A) search for, collect, classify, coordinate, integrate, record, and catalog the data described in paragraph (1); and

(B) in a manner that is consistent with section 552a of title 5, United States Code, protect the privacy of the minority business enterprises to which the data described in paragraph (1) relates.

Subtitle B—Minority Business Development Agency Business Center Program

SEC. 7111. DEFINITION.

In this subtitle, the term ''MBDA Business Center Program'' means the program established under section 7113.

SEC. 7112. PURPOSE.

The purpose of the MBDA Business Center Program shall be to create a national network of public-private partnerships that—

(1) assist minority business enterprises to—

(A) access capital, contracts, and grants; and

(B) create and maintain jobs;

(2) provide counseling and mentoring to minority business enterprises; and

(3) facilitate the growth of minority business enterprises by promoting trade.

SEC. 7113. ESTABLISHMENT.

(a) IN GENERAL.—There is established in the Agency a program—

(1) that shall be known as the MBDA Business Center Program;

(2) that shall be separate and distinct from the efforts of the Assistant Secretary under section 7101; and

(3) under which the Assistant Secretary shall make Federal assistance awards to eligible entities to operate MBDA Business Centers, which shall, in accordance with section 7114, provide technical assistance and business development services, or specialty services, to minority business enterprises.

(b) COVERAGE.—The Assistant Secretary shall take all necessary actions to ensure that the MBDA Business Center Program, in accordance with section 7114, offers the services described in subsection (a)(3) in all regions of the United States.

SEC. 7114. GRANTS AND COOPERATIVE AGREEMENTS.

(a) REQUIREMENTS.—An MBDA Business Center (referred to in this subtitle as a ''Center''), with respect to the Federal financial assistance award made to operate the Center under the MBDA Business Center Program—

(1) shall—

(A) provide to minority business enterprises programs and services determined to be appropriate by the Assistant Secretary, which—

(i) shall include referral services to meet the needs of minority business enterprises; and

(ii) may include programs and services to accomplish the goals described in section 7101(1);

(B) develop, cultivate, and maintain a network of strategic partnerships with organizations that foster access by minority business enterprises to economic markets, capital, or contracts;

(C) continue to upgrade and modify the services provided by the Center, as necessary, in order to meet the changing and evolving needs of the business community;

(D) establish or continue a referral relationship with not less than 1 community-based organization; and

(E) collaborate with other Centers; and

(2) in providing programs and services under the applicable MBDA Business Center agreement, may—

(A) operate on a fee-for-service basis; or

(B) generate income through the collection of—

(i) client fees;

(ii) membership fees; and

(iii) any other appropriate fees proposed by the Center in the application submitted by the Center under subsection (e).

(b) TERM.—Subject to subsection (g)(3), the term of an MBDA Business Center agreement shall be not less than 3 years.

(c) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—The amount of financial assistance provided by the Assistant Secretary under an MBDA Business Center agreement shall be not less than $250,000 for the term of the agreement.

(2) MATCHING REQUIREMENT.—

(A) IN GENERAL.—A Center shall match not less than ⅓ of the amount of the financial assistance awarded to the Center under the terms of the applicable MBDA Business Center agreement, unless the Assistant Secretary determines that a waiver of that requirement is necessary after a demonstration by the Center of a substantial need for that waiver.

(B) FORM OF FUNDS.—A Center may meet the matching requirement under subparagraph (A) using—

(i) cash or in-kind contributions, without regard to whether the contribution is made by a third party; or

(ii) Federal funds received from other Federal programs.

(3) USE OF FINANCIAL ASSISTANCE AND PROGRAM INCOME.—A Center shall use—

(A) all financial assistance awarded to the Center under the applicable MBDA Business Center agreement to carry out subsection (a); and

(B) all income that the Center generates in carrying out subsection (a)—

(i) to meet the matching requirement under paragraph (2) of this subsection; and

(ii) if the Center meets the matching requirement under paragraph (2) of this subsection, to carry out subsection (a).

(d) CRITERIA FOR SELECTION.—The Assistant Secretary shall—

(1) establish criteria that—

(A) the Assistant Secretary shall use in determining whether to enter into an MBDA Business Center agreement with an eligible entity; and

(B) may include criteria relating to whether an eligible entity is located in—

(i) an area, the population of which is composed of not less than 51 percent socially and economically disadvantaged individuals, as determined in accordance with data collected by the Bureau of the Census;

(ii) a federally recognized area of economic distress; or

(iii) a State that is underserved with respect to the MBDA Business Center Program, as defined by the Assistant Secretary; and

(2) make the criteria and standards established under paragraph (1) publicly available, including—

(A) on the website of the Agency; and

(B) in each Notice of Funding Opportunity soliciting MBDA Business Center agreements.

(e) APPLICATIONS.—An eligible entity desiring to enter into an MBDA Business Center agreement shall submit to the Assistant Secretary an application that includes—

(1) a statement of—

(A) how the eligible entity will carry out subsection (a); and

(B) any experience of the eligible entity in—

(i) assisting minority business enterprises to—

(I) obtain—

(aa) large-scale contracts, grants, or procurements;

(bb) financing; or

(cc) legal assistance;

(II) access established supply chains; and

(III) engage in—

(aa) joint ventures, teaming arrangements, and mergers and acquisitions; or

(bb) large-scale transactions in global markets;

(ii) supporting minority business enterprises in increasing the size of the workforces of those enterprises, including, with respect to a minority business enterprise that does not have employees, aiding the minority business enterprise in becoming an enterprise that has employees; and

(iii) advocating for minority business enterprises; and

(2) the budget and corresponding budget narrative that the eligible entity will use in carrying out subsection (a) during the term of the applicable MBDA Business Center agreement.

(f) NOTIFICATION.—If the Assistant Secretary grants an application of an eligible entity submitted under subsection (e), the Assistant Secretary shall notify the eligible entity that the application has been granted not later than 150 days after the last day on which an application may be submitted under that subsection.

(g) PROGRAM EXAMINATION; ACCREDITATION; EXTENSIONS.—

(1) EXAMINATION.—Not later than 180 days after the date of enactment of this Act, and biennially thereafter, the Assistant Secretary shall conduct a programmatic financial examination of each Center.

(2) ACCREDITATION.—The Assistant Secretary may provide financial support, by contract or otherwise, to an association, not less than 51 percent of the members of which are Centers, to—

(A) pursue matters of common concern with respect to Centers; and

(B) develop an accreditation program with respect to Centers.

(3) EXTENSIONS.—

(A) IN GENERAL.—The Assistant Secretary may extend the term under subsection (b) of an MBDA Business Center agreement to which a Center is a party, if the Center consents to the extension.

(B) FINANCIAL ASSISTANCE.—If the Assistant Secretary extends the term of an MBDA Business Center agreement under paragraph (1), the Assistant Secretary shall, in the same manner and amount in which financial assistance was provided during the initial term of the agreement, provide financial assistance under the agreement during the extended term of the agreement.

(h) MBDA INVOLVEMENT.—The Assistant Secretary may take actions to ensure that the Agency is substantially involved in the activities of Centers in carrying out subsection (a), including by—

(1) providing to each Center training relating to the MBDA Business Center Program;

(2) requiring that the operator and staff of each Center—

(A) attend—

(i) a conference with the Agency to establish the services and programs that the Center will provide in carrying out the requirements before the date on which the Center begins providing those services and programs; and

(ii) training provided under paragraph (1);

(B) receive necessary guidance relating to carrying out the requirements under subsection (a); and

(C) work in coordination and collaboration with the Assistant Secretary to carry out the MBDA Business Center Program and other programs of the Agency;

(3) facilitating connections between Centers and—

(A) Federal agencies other than the Agency, including the Small Business Administration, the Department of Agriculture, the Federal Trade Commission, the United States Patent and Trademark Office, and the Economic Development Administration of the Department of Commerce; and

(B) other institutions or entities that use Federal resources, including—

(i) small business development centers, as that term is defined in section 3(t) of the Small Business Act (15 U.S.C. 632(t));

(ii) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656);

(iii) eligible entities, as that term is defined in section 2411 of title 10, United States Code, that provide services under the program carried out under chapter 142 of that title; and

(iv) entities participating in the Hollings Manufacturing Extension Partnership Program established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k);

(4) monitoring projects carried out by each Center; and

(5) establishing and enforcing administrative and reporting requirements for each Center to carry out subsection (a).

(i) REGULATIONS.—The Assistant Secretary shall issue and publish regulations that establish minimum standards regarding verification of minority business enterprise status for clients of entities operating under the MBDA Business Center Program.

SEC. 7115. MINIMIZING DISRUPTIONS TO EXISTING MBDA BUSINESS CENTER PROGRAM.

The Assistant Secretary shall ensure that each Federal assistance award made under the Business Centers program of the Agency, as is in effect on the day before the date of enactment of this Act, is carried out in a manner that, to the greatest extent practicable, prevents disruption of any activity carried out under that award.

SEC. 7116. PUBLICITY.

In carrying out the MBDA Business Center Program, the Assistant Secretary shall widely publicize the MBDA Business Center Program, including—

(1) on the website of the Agency;

(2) via social media outlets; and

(3) by sharing information relating to the MBDA Business Center Program with community-based organizations, including interpretation groups where necessary, to communicate in the most common languages spoken by the groups served by those organizations.

SEC. 7117. FUNDING.

The Assistant Secretary shall use not less than 50 percent of the amount made available to carry out this division in each of fiscal years 2021 through 2024 to carry out the MBDA Business Center Program, including the component of the program relating to specialty centers.

TITLE II—NEW INITIATIVES TO PROMOTE ECONOMIC RESILIENCY FOR MINORITY BUSINESSES

SEC. 7201. ANNUAL DIVERSE BUSINESS FORUM ON CAPITAL FORMATION.

(a) RESPONSIBILITY OF AGENCY.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Agency shall conduct a Government-business forum to review the current status of problems and programs relating to capital formation by minority business enterprises.

(b) PARTICIPATION IN FORUM PLANNING.—The Assistant Secretary shall invite the heads of other Federal agencies, such as the Chairman of the Securities and Exchange Commission, the Secretary of the Treasury, and the Chairman of the Board of Governors of the Federal Reserve System, organizations representing State securities commissioners, representatives of leading minority chambers of commerce, not less than 1 certified owner of a minority business enterprise, business organizations, and professional organizations concerned with capital formation to participate in the planning of each forum conducted under subsection (a).

(c) PREPARATION OF STATEMENTS AND REPORTS.—

(1) REQUESTS.—The Assistant Secretary may request that any head of a Federal department, agency, or organization, including those described in subsection (b), or any other group or individual, prepare a statement or report to be delivered at any forum conducted under subsection (a).

(2) COOPERATION.—Any head of a Federal department, agency, or organization who receives a request under paragraph (1) shall, to the greatest extent practicable, cooperate with the Assistant Secretary to fulfill that request.

(d) TRANSMITTAL OF PROCEEDINGS AND FINDINGS.—The Assistant Secretary shall—

(1) prepare a summary of the proceedings of each forum conducted under subsection (a), which shall include the findings and recommendations of the forum; and

(2) transmit the summary described in paragraph (1) with respect to each forum conducted under subsection (a) to—

(A) the participants in the forum;

(B) Congress; and

(C) the public, through a publicly available website.

(e) REVIEW OF FINDINGS AND RECOMMENDATIONS; PUBLIC STATEMENTS.—

(1) IN GENERAL.—A Federal agency to which a finding or recommendation described in subsection (d)(1) relates shall—

(A) review that finding or recommendation; and

(B) promptly after the finding or recommendation is transmitted under subsection (d)(2)(C), issue a public statement—

(i) assessing the finding or recommendation; and

(ii) disclosing the action, if any, the Federal agency intends to take with respect to the finding or recommendation.

(2) JOINT STATEMENT PERMITTED.—If a finding or recommendation described in subsection (d)(1) relates to more than 1 Federal agency, the applicable Federal agencies may, for the purposes of the public statement required under paragraph (1)(B), issue a joint statement.

SEC. 7202. AGENCY STUDY ON ALTERNATIVE FINANCING SOLUTIONS.

(a) PURPOSE.—The purpose of this section is to provide information relating to alternative financing solutions to minority business enterprises, as those business enterprises are more likely to struggle in accessing, particularly at affordable rates, traditional sources of capital.

(b) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall—

(1) conduct a study on opportunities for providing alternative financing solutions to minority business enterprises; and

(2) submit to Congress, and publish on the website of the Agency, a report describing the findings of the study carried out under paragraph (1).

SEC. 7203. EDUCATIONAL DEVELOPMENT RELATING TO MANAGEMENT AND ENTREPRENEURSHIP.

(a) DUTIES.—The Assistant Secretary shall, whenever the Assistant Secretary determines such action is necessary or appropriate—

(1) promote and provide assistance for the education and training of socially and economically disadvantaged individuals in subjects directly relating to business administration and management;

(2) join with, and encourage, institutions of higher education, leaders in business and industry, and other public sector and private sector entities, particularly minority business enterprises, to—

(A) develop programs to offer scholarships and fellowships, apprenticeships, and internships relating to business to socially and economically disadvantaged individuals; and

(B) sponsor seminars, conferences, and similar activities relating to business for the benefit of socially and economically disadvantaged individuals;

(3) stimulate and accelerate curriculum design and improvement in support of development of minority business enterprises; and

(4) encourage and assist private institutions and organizations and public sector entities to undertake activities similar to the activities described in paragraphs (1), (2), and (3).

(b) PARREN J. MITCHELL ENTREPRENEURSHIP EDUCATION GRANTS.—

(1) DEFINITION.—In this subsection, the term ''eligible institution'' means an institution of higher education described in any of paragraphs (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(2) GRANTS.—The Assistant Secretary shall award grants to eligible institutions to develop and implement entrepreneurship curricula.

(3) REQUIREMENTS.—An eligible institution to which a grant is awarded under this subsection shall use the grant funds to—

(A) develop a curriculum that includes training in various skill sets needed by contemporary successful entrepreneurs, including—

(i) business management and marketing;

(ii) financial management and accounting;

(iii) market analysis;

(iv) competitive analysis;

(v) innovation;

(vi) strategic planning; and

(vii) any other skill set that the eligible institution determines is necessary for the students served by the eligible institution and the community in which the eligible institution is located; and

(B) implement the curriculum developed under subparagraph (A) at the eligible institution.

(4) IMPLEMENTATION TIMELINE.—The Assistant Secretary shall establish and publish a timeline under which an eligible institution to which a grant is awarded under this section shall carry out the requirements under paragraph (3).

(5) REPORTS.—Each year, the Assistant Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Small Business of the House of Representatives, as part of the annual budget submission of the President under section 1105(a) of title 31, United States Code, a report evaluating the awarding and use of grants under this subsection during the fiscal year immediately preceding the date on which the report is submitted, which shall include, with respect to that fiscal year—

(A) a description of each curriculum developed and implemented under each grant awarded under this section;

(B) the date on which each grant awarded under this section was awarded; and

(C) the number of eligible entities that were recipients of grants awarded under this section.

TITLE III—RURAL MINORITY BUSINESS CENTER PROGRAM

SEC. 7301. DEFINITIONS.

In this title:

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

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

(B) the Committee on Small Business and Entrepreneurship of the Senate;

(C) the Committee on Financial Services of the House of Representatives; and

(D) the Committee on Small Business of the House of Representatives.

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

(A) a minority-serving institution; or

(B) a consortium of institutions of higher education that is led by a minority-serving institution.

(3) MBDA RURAL BUSINESS CENTER.—The term ''MBDA Rural Business Center'' means an MBDA Business Center that provides technical business assistance to minority business enterprises located in rural areas.

(4) MBDA RURAL BUSINESS CENTER AGREEMENT.—The term ''MBDA Rural Business Center agreement'' means an MBDA Business Center agreement that establishes the terms by which the recipient of the Federal assistance award that is the subject of the agreement shall operate an MBDA Rural Business Center.

(5) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution described in any of paragraphs (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(6) RURAL AREA.—

(A) IN GENERAL.—Subject to subparagraph (B), the term ''rural area'' has the meaning given the term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)).

(B) 100,000 INHABITANTS.—For the purpose of this title, the reference to ''50,000 inhabitants'' in section 343(a)(13)(A)(i) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A)(i)) shall be deemed to refer to 100,000 inhabitants.

(7) RURAL MINORITY BUSINESS ENTERPRISE.—The term ''rural minority business enterprise'' means a minority business enterprise located in a rural area.

SEC. 7302. BUSINESS CENTERS.

(a) IN GENERAL.—The Assistant Secretary may establish MBDA Rural Business Centers.

(b) PARTNERSHIP.—

(1) IN GENERAL.—With respect to an MBDA Rural Business Center established by the Assistant Secretary, the Assistant Secretary shall establish the MBDA Rural Business Center in partnership with an eligible entity in accordance with paragraph (2).

(2) MBDA AGREEMENT.—

(A) IN GENERAL.—With respect to each MBDA Rural Business Center established by the Assistant Secretary, the Assistant Secretary shall enter into a cooperative agreement with an eligible entity that provides that—

(i) the eligible entity shall provide space, facilities, and staffing for the MBDA Rural Business Center;

(ii) the Assistant Secretary shall provide funding for, and oversight with respect to, the MBDA Rural Business Center; and

(iii) subject to subparagraph (B), the eligible entity shall match 20 percent of the amount of the funding provided by the Assistant Secretary under clause (ii), which may be calculated to include the costs of providing the space, facilities, and staffing under clause (i).

(B) LOWER MATCH REQUIREMENT.—Based on the available resources of an eligible entity, the Assistant Secretary may enter into a cooperative agreement with the eligible entity that provides that—

(i) the eligible entity shall match less than 20 percent of the amount of the funding provided by the Assistant Secretary under subparagraph (A)(ii); or

(ii) if the Assistant Secretary makes a determination, upon a demonstration by the eligible entity of substantial need, the eligible entity shall not be required to provide any match with respect to the funding provided by the Assistant Secretary under subparagraph (A)(ii).

(C) ELIGIBLE FUNDS.—An eligible entity may provide matching funds required under an MBDA Rural Business Center agreement with Federal funds received from other Federal programs.

(3) TERM.—The initial term of an MBDA Rural Business Center agreement shall be 3 years.

(4) EXTENSION.—The Assistant Secretary and an eligible entity may agree to extend the term of an MBDA Rural Business Center agreement with respect to an MBDA Rural Business Center.

(c) FUNCTIONS.—An MBDA Rural Business Center shall—

(1) primarily serve clients that are—

(A) rural minority business enterprises; or

(B) minority business enterprises that are located more than 50 miles from an MBDA Business Center (other than that MBDA Rural Business Center);

(2) focus on—

(A) issues relating to—

(i) the adoption of broadband internet access service (as defined in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation), digital literacy skills, and e-commerce by rural minority business enterprises;

(ii) advanced manufacturing;

(iii) the promotion of manufacturing in the United States;

(iv) ways in which rural minority business enterprises can meet gaps in the supply chain of critical supplies and essential goods and services for the United States;

(v) improving the connectivity of rural minority business enterprises through transportation and logistics;

(vi) promoting trade and export opportunities by rural minority business enterprises;

(vii) securing financial capital;

(viii) facilitating entrepreneurship in rural areas; and

(ix) creating jobs in rural areas; and

(B) any other issue relating to the unique challenges faced by rural minority business enterprises; and

(3) provide education, training, and legal, financial, and technical assistance to minority business enterprises.

(d) APPLICATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Assistant Secretary shall issue a Notice of Funding Opportunity requesting applications from eligible entities that desire to enter into MBDA Rural Business Center agreements.

(2) CRITERIA AND PRIORITY.—In selecting an eligible entity with which to enter into an MBDA Rural Business Center agreement, the Assistant Secretary shall—

(A) select an eligible entity that demonstrates—

(i) the ability to collaborate with governmental and private sector entities to leverage capabilities of minority business enterprises through public-private partnerships;

(ii) the research and extension capacity to support minority business enterprises;

(iii) knowledge of the community that the eligible entity serves and the ability to conduct effective outreach to that community to advance the goals of an MBDA Rural Business Center;

(iv) the ability to provide innovative business solutions, including access to contracting opportunities, markets, and capital;

(v) the ability to provide services that advance the development of science, technology, engineering, and math jobs within minority business enterprises;

(vi) the ability to leverage resources from within the eligible entity to advance an MBDA Rural Business Center;

(vii) that the mission of the eligible entity aligns with the mission of the Agency;

(viii) the ability to leverage relationships with rural minority business enterprises; and

(ix) a referral relationship with not less than 1 community-based organization; and

(B) give priority to an eligible entity located in a State or region that lacks an MBDA Business Center, as of the date of enactment of this Act.

SEC. 7303. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall submit to the appropriate congressional committees a report that includes—

(1) a summary of the efforts of the Assistant Secretary to provide services to minority business enterprises located in States that lack an MBDA Business Center, as of the date of enactment of this Act, and especially in those States that have significant minority populations; and

(2) recommendations for extending the outreach of the Agency to underserved areas.

SEC. 7304. STUDY AND REPORT.

(a) IN GENERAL.—The Assistant Secretary, in coordination with relevant leadership of the Agency and relevant individuals outside of the Department of Commerce, shall conduct a study that addresses the ways in which minority business enterprises can meet gaps in the supply chain of the United States, with a particular focus on the supply chain of advanced manufacturing and essential goods and services.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall submit to the appropriate congressional committees a report that includes the results of the study conducted under subsection (a), which shall include recommendations regarding the ways in which minority business enterprises can meet gaps in the supply chain of the United States.

TITLE IV—MINORITY BUSINESS DEVELOPMENT GRANTS

SEC. 7401. GRANTS TO NONPROFIT ORGANIZATIONS THAT SUPPORT MINORITY BUSINESS ENTERPRISES.

(a) DEFINITION.—In this section, the term ''covered entity'' means a private nonprofit organization that—

(1) is described in paragraph (3), (4), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

(2) can demonstrate that a primary activity of the organization is to provide services to minority business enterprises, whether through education, making grants or loans, or other similar activities.

(b) PURPOSE.—The purpose of this section is to make grants to covered entities to help those covered entities continue the necessary work of supporting minority business enterprises.

(c) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Assistant Secretary shall establish within the Agency a grant program under which the Assistant Secretary shall make grants to covered entities in accordance with the requirements of this section.

(d) APPLICATION.—A covered entity desiring a grant under this section shall submit to the Assistant Secretary an application at such time, in such manner, and containing such information as the Assistant Secretary may require.

(e) PRIORITY.—The Assistant Secretary shall, in carrying out this section, prioritize granting an application submitted by a covered entity that is located in a federally recognized area of economic distress.

(f) USE OF FUNDS.—A covered entity to which a grant is made under this section may use the grant funds to support the development and growth of minority business enterprises.

(g) PROCEDURES.—The Assistant Secretary shall establish procedures to—

(1) discourage and prevent waste, fraud, and abuse by applicants for, and recipients of, grants made under this section; and

(2) ensure that grants are made under this section to a diverse array of covered entities, including—

(A) covered entities with a national presence;

(B) community-based covered entities;

(C) covered entities with annual budgets below $1,000,000; and

(D) covered entities that principally serve low-income and rural communities.

(h) INSPECTOR GENERAL AUDIT.—Not later than 180 days after the date on which the Assistant Secretary begins making grants under this section, the Inspector General of the Department of Commerce shall—

(1) conduct an audit of grants made under this section, which shall seek to identify any discrepancies or irregularities with respect to those grants; and

(2) submit to Congress a report regarding the audit conducted under paragraph (1).

(i) UPDATES TO CONGRESS.—Not later than 90 days after the date on which the Assistant Secretary establishes the grant program under subsection (c), and once every 30 days thereafter, the Assistant Secretary shall submit to Congress a report that contains—

(1) the number of grants made under this section during the period covered by the report; and

(2) with respect to the grants described in paragraph (1), the geographic distribution of those grants by State and county.

SEC. 7402. MINORITY BUSINESS GRANTS.

(a) IN GENERAL.—The Assistant Secretary may award grants to minority business enterprises for the purpose of—

(1) growing a minority business enterprise; or

(2) helping a minority business enterprise to remain in business.

(b) ESTABLISHMENT OF OFFICE.—The Assistant Secretary shall establish an office within the Agency that has adequate staffing to award and administer grants under subsection (a).

(c) UPDATES TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, and once every 30 days thereafter, the Assistant Secretary shall submit to Congress a report that contains—

(1) the number of grants made under this section during the period covered by the report; and

(2) with respect to the grants described in paragraph (1)—

(A) the geographic distribution of those grants by State and county; and

(B) with respect to each minority business enterprise to which such a grant is awarded—

(i) demographic information with respect to the minority business enterprise; and

(ii) information regarding the industry in which the minority business enterprise operates.

TITLE V—ADMINISTRATIVE AND OTHER POWERS OF THE AGENCY; MISCELLANEOUS PROVISIONS

SEC. 7501. ADMINISTRATIVE POWERS.

(a) IN GENERAL.—In carrying out this division, the Assistant Secretary may—

(1) adopt and use a seal for the Agency, which shall be judicially noticed;

(2) hold hearings, sit and act, and take testimony as the Assistant Secretary may determine to be necessary or appropriate to carry out this division;

(3) acquire, in any lawful manner, any property that the Assistant Secretary determines to be necessary or appropriate to carry out this division;

(4) make advance payments under grants, contracts, and cooperative agreements awarded under this division;

(5) with the consent of another Federal agency, enter into an agreement with that Federal agency to utilize, with or without reimbursement, any service, equipment, personnel, or facility of that Federal agency;

(6) coordinate with the heads of the Offices of Small and Disadvantaged Business Utilization of Federal agencies;

(7) require a coordinated review of all training and technical assistance activities that are proposed to be carried out by Federal agencies in direct support of the development of minority business enterprises to—

(A) ensure consistency with the purposes of this division; and

(B) avoid duplication of existing efforts; and

(8) prescribe such rules, regulations, and procedures as the Assistant Secretary determines to be necessary or appropriate to carry out this division.

(b) EMPLOYMENT OF CERTAIN EXPERTS AND CONSULTANTS.—

(1) IN GENERAL.—In carrying out this division, the Assistant Secretary may employ experts and consultants or organizations that are composed of experts or consultants, as authorized under section 3109 of title 5, United States Code.

(2) RENEWAL OF CONTRACTS.—The Assistant Secretary may annually renew a contract for employment of an individual employed under paragraph (1).

(c) DONATION OF PROPERTY.—

(1) IN GENERAL.—Subject to paragraph (2), in carrying out this division, the Assistant Secretary may, without cost (except for costs of care and handling), donate for use by any public sector entity, or by any recipient nonprofit organization, for the purpose of the development of minority business enterprises, any real or tangible personal property acquired by the Agency in carrying out this division.

(2) TERMS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS.—The Assistant Secretary may impose reasonable terms, conditions, reservations, and restrictions upon the use of any property donated under paragraph (1).

SEC. 7502. FEDERAL ASSISTANCE.

(a) IN GENERAL.—

(1) PROVISION OF FEDERAL ASSISTANCE.—To carry out sections 7101, 7102, and 7103(a), the Assistant Secretary may provide Federal assistance to public sector entities and private sector entities in the form of grants or cooperative agreements.

(2) NOTICE.—Not later than 120 days after the date on which amounts are appropriated to carry out this section, the Assistant Secretary shall, in accordance with subsection (b), broadly publish a statement regarding Federal assistance that will, or may, be provided under paragraph (1) during the fiscal year for which those amounts are appropriated, including—

(A) the actual, or anticipated, amount of Federal assistance that will, or may, be made available;

(B) the types of Federal assistance that will, or may, be made available;

(C) the manner in which Federal assistance will be allocated among public sector entities and private sector entities, as applicable; and

(D) the methodology used by the Assistant Secretary to make allocations under subparagraph (C).

(3) CONSULTATION.—The Assistant Secretary shall consult with public sector entities and private sector entities, as applicable, in deciding the amounts and types of Federal assistance to make available under paragraph (1).

(b) PUBLICITY.—In carrying out this section, the Assistant Secretary shall broadly publicize all opportunities for Federal assistance available under this section, including through the means required under section 7116.

SEC. 7503. AUDITS.

(a) RECORDKEEPING REQUIREMENT.—Each recipient of assistance under this division shall keep such records as the Assistant Secretary shall prescribe, including records that fully disclose, with respect to the assistance received by the recipient under this division—

(1) the amount and nature of that assistance;

(2) the disposition by the recipient of the proceeds of that assistance;

(3) the total cost of the undertaking for which the assistance is given or used;

(4) the amount and nature of the portion of the cost of the undertaking described in paragraph (3) that is supplied by a source other than the Agency; and

(5) any other record that will facilitate an effective audit with respect to the assistance.

(b) ACCESS BY GOVERNMENT OFFICIALS.—The Assistant Secretary, the Inspector General of the Department of Commerce, and the Comptroller General of the United States, or any duly authorized representative of any such individual, shall have access, for the purpose of audit, investigation, and examination, to any book, document, paper, record, or other material of a recipient of assistance under this division that pertains to the assistance received by the recipient under this division.

SEC. 7504. REVIEW AND REPORT BY COMPTROLLER GENERAL.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a thorough review of the programs carried out under this division; and

(2) submit to Congress a detailed report of the findings of the Comptroller General of the United States under the review carried out under paragraph (1), which shall include—

(A) an evaluation of the effectiveness of the programs in achieving the purposes of this division;

(B) a description of any failure by any recipient of assistance under this division to comply with the requirements under this division; and

(C) recommendations for any legislative or administrative action that should be taken to improve the achievement of the purposes of this division.

SEC. 7505. ANNUAL REPORTS; RECOMMENDATIONS.

(a) ANNUAL REPORT.—Not later than 90 days after the last day of each fiscal year, the Assistant Secretary shall submit to Congress, and publish on the website of the Agency, a report of each activity of the Agency carried out under this division during the fiscal year preceding the date on which the report is submitted.

(b) RECOMMENDATIONS.—The Assistant Secretary shall periodically submit to Congress and the President recommendations for legislation or other actions that the Assistant Secretary determines to be necessary or appropriate to promote the purposes of this division.

SEC. 7506. SEPARABILITY.

If a provision of this division, or the application of a provision of this division to any person or circumstance, is held by a court of competent jurisdiction to be invalid, that judgment—

(1) shall not affect, impair, or invalidate—

(A) any other provision of this division; or

(B) the application of this division to any other person or circumstance; and

(2) shall be confined in its operation to—

(A) the provision of this division with respect to which the judgment is rendered; or

(B) the application of the provision of this division to each person or circumstance directly involved in the controversy in which the judgment is rendered.

SEC. 7507. EXECUTIVE ORDER 11625.

The powers and duties of the Agency shall be determined—

(1) in accordance with this division and the requirements of this division; and

(2) without regard to Executive Order 11625 (36 Fed. Reg. 19967; relating to prescribing additional arrangements for developing and coordinating a national program for minority business enterprise).

SEC. 7508. AMENDMENT TO THE FEDERAL ACQUISITION STREAMLINING ACT OF 1994.

Section 7104(c) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644a(c)) is amended by striking paragraph (2) and inserting the following:

''(2) The Assistant Secretary of Commerce for Minority Business Development.''.

SEC. 7509. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Assistant Secretary not less than $100,000,000 for fiscal year 2021, and each fiscal year thereafter, to carry out this division.

SA 1784. Mr. DAINES (for himself and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.

(a) IN GENERAL.—Paragraph (2) of section 431(c) of the Tariff Act of 1930 (19 U.S.C. 1431(c)) is amended to read as follows:

''(2)(A) The information listed in paragraph (1) shall not be available for public disclosure if—

''(i) the Secretary of the Treasury makes an affirmative finding on a shipment-by-shipment basis that disclosure is likely to pose a threat of personal injury or property damage; or

''(ii) the information is exempt under the provisions of section 552(b)(1) of title 5, United States Code.

''(B) The Secretary shall ensure that any personally identifiable information, including Social Security numbers and passport numbers, is removed from any manifest signed, produced, delivered, or electronically transmitted under this section before access to the manifest is provided to the public.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act.

SA 1785. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 7 and 8, insert the following:

(5) REPORT.—Not later than the earlier of 180 days after the date of enactment of this Act or the date on which the Secretary of Commerce awards the first grant under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) with amounts appropriated under this subsection, the Secretary of Commerce, in coordination with the heads of relevant Federal agencies, shall submit to Congress a report that includes recommendations for adjustments to policies and regulations in order to reduce, with respect to the semiconductor incentive program established under that section—

(A) permitting timelines; and

(B) the various costs of permitting and the development of semiconductor manufacturing.

SA 1786. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 716, after line 24, add the following:

(8) The United States Agency for Global Media shall prioritize and seek to increase credible and timely news coverage of the People's Republic of China's Belt and Road Initiative in all countries in which Belt and Road Initiative infrastructure projects have been initiated or proposed.

SA 1787. Mr. DAINES (for himself and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation,

manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. ENFORCEMENT OF INTELLECTUAL PROPERTY PROVISIONS OF ECONOMIC AND TRADE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Agreement includes significant mandates for the People's Republic of China related to its domestic intellectual property regime, including with respect to copyrights, trademarks, trade secrets, and patents;

(2) the changes included in the Agreement, if implemented effectively, should improve the domestic intellectual property framework of the People's Republic of China, which has historically proven to harm the innovation and creative communities in the United States;

(3) despite commitments made by the Government of the People's Republic of China under the Agreement, ongoing market access barriers, uneven enforcement, measures requiring forced technology transfer, and serious deficiencies in the rule of law continue to make the business environment in the People's Republic of China highly challenging for rights holders in the United States;

(4) as reflected in the 2021 report by the United States Trade Representative required under section 182(h) of the Trade Act of 1974 (19 U.S.C. 2242(h)) (commonly referred to as the ''Special 301 Report''), the People's Republic of China has consistently been listed in that annual report since 1989 as a trading partner of the United States that ''fails to provide adequate and effective IP protection and enforcement for U.S. inventors, creators, brands, manufacturers, and service providers, which, in turn, harm American workers''; and

(5) Congress encourages the United States Trade Representative, the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Secretary of Commerce, and the Director of the United States Patent and Trademark Office—

(A) to use all available tools to ensure that the People's Republic of China fully implements its commitments under the Agreement; and

(B) to actively consider additional means to require the People's Republic of China to address unfair market access barriers, forced technology transfer requirements, and broader intellectual property theft concerns, including through future trade agreements and working with partners in multilateral organizations, such as the Group of 7 (G7), the Group of 20 (G20), and the World Trade Organization.

(b) ENFORCEMENT OF AGREEMENT.—The President, acting through the United States Trade Representative, shall coordinate with the heads of such Federal agencies as the President considers appropriate to enforce the actions related to intellectual property laid out in the Agreement including—

(1) the civil, administrative, and criminal procedures and deterrent-level civil and criminal penalties provided in the Agreement; and

(2) by using the full enforcement authority of the President, including any enforcement authority in connection with the identification and reporting process under section 182 of the Trade Act of 1974 (19 U.S.C. 2242).

(c) REPORT ON STATUS OF IMPLEMENTATION OF CERTAIN OBLIGATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the United States Trade Representative shall submit to the appropriate committees of Congress a report on the status of the implementation by the People's Republic of China of its obligations under Chapter 1 of the Agreement.

(2) INFORMATION IN REPORT.—Each report required by paragraph (1) shall contain information sufficient to enable the appropriate committees of Congress to assess the extent of the compliance by the People's Republic of China with the Agreement, including appropriate quantitative metrics.

(d) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term ''Agreement'' means the Economic and Trade Agreement Between the Government of the United States of America and the Government of China, dated January 15, 2020.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

SA 1788. Mr. DAINES (for himself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 3101, insert after subsection (c) the following:

(d) SPECIAL FOCUS ON CRITICAL MINERAL PRODUCTION SUPPLY CHAINS.—The Secretary of State and Secretary of Commerce shall coordinate with the Secretary of Energy to include in the services described in subsection (a) a focus on assisting interested United States persons and business entities with critical mineral supply chain management issues, diversification, domestic production, and management.

SA 1789. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COVERED PROJECTS UNDER TITLE XLI OF THE FAST ACT.

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended, in the matter preceding clause (i), by inserting ''critical minerals production,'' before ''or any other sector''.

SA 1790. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, on line 10, insert '', including optical transmission equipment,'' after ''technology''.

SA 1791. Ms. LUMMIS (for herself, Mr. WYDEN, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 63___. ROYALTY RATE ON SODIUM PRODUCED ON FEDERAL LAND.

Notwithstanding section 102(a)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, beginning on the date of enactment of this Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land shall be 2 percent.

SA 1792. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. PROHIBITION ON WAIVERS OF AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS WITH RESPECT TO COVID–19 VACCINES.

The President may not assent to any waiver of any intellectual property protections under the Agreement on Trade-Related Aspects of Intellectual Property Rights of the World Trade Organization with respect to COVID–19 vaccines.

SA 1793. Mr. DAINES (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a

new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. STUDY RELATING TO CONSEQUENCES AND BENEFITS OF AMENDING THE CFAA.

(a) STUDY.—The Secretary of Homeland Security, in consultation with the heads of other appropriate agencies, shall conduct a study on the consequences and benefits of amending section 1030 of title 18, United States Code (commonly known as the ''Computer Fraud and Abuse Act''), to allow private entities to take proportional actions in response to an unlawful network breach, subject to oversight and regulation by a designated Federal agency.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit a report on the findings of the study conducted under subsection (a), including any recommendations, to Congress.

(2) REQUIRED CONTENTS.—The report required under paragraph (1) shall include recommendations for which Federal agency or agencies may authorize proportional actions by private entities, which entities would be allowed to take such actions and under what circumstances, and what actions would be permissible.

SA 1794. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. HIGH RESEARCH ACTIVITY STATUS HBCUS.

(a) FINDINGS.—Congress finds the following:

(1) Historically Black Colleges and Universities hold a unique position in our efforts to diversify the science, technology, engineering, and mathematics academic and workforce communities.

(2) Even though our Nation's Historically Black Colleges and Universities make up just 3 percent of the colleges and universities in the United States, they graduate 25 percent of African-American students with bachelor's degrees in science, technology, engineering, and mathematics fields.

(3) Historically Black Colleges and Universities are the institution of origin among almost 30 percent of Black graduates of science and engineering doctorate programs.

(4) Historically Black Colleges and Universities are leaders of our Nation's research and development enterprise, and they are paving the way across sectors, having received over 100 utility patents in 40 years.

(5) A team of computer scientists at Morgan State University are conducting research to automate detection of concepts in biomedical images to reduce the burdens of annotation and interpretation of medical images while providing a decision support system for medical practitioners.

(6) Researchers at Howard University conducted a study across 6 decades to determine the underlying causes of the recent rapid increase in the incidence and diagnosis of hepatocellular carcinoma and liver metastases in Washington, DC, which is disproportionately impacting the Black population.

(7) In 2019, Historically Black Colleges and Universities received $371,000,000, or about 0.8 percent of the $44,500,000,000 in Federal funding to institutions of higher education for research and development.

(8) This number is a marked decrease from fiscal year 2018, when Historically Black Colleges and Universities received $400,000,000 (0.9 percent) in Federal research and development funding.

(9) While there are 11 high research activity status Historically Black Colleges and Universities—Clark Atlanta University, Delaware State University, Florida A&M University, Hampton University, Howard University, Jackson State University, Morgan State University, North Carolina A&T University, Tennessee State University, Texas Southern University, and University of Maryland Eastern Shore—there are no very high research activity status Historically Black Colleges and Universities.

(10) Meaningfully investing in the research capacity of Historically Black Colleges and Universities is an investment in our Nation's future and will help meet the accelerating science, technology, engineering, and mathematics workforce demands in the United States.

(b) PURPOSES.—The purposes of the program established under this section shall be—

(1) to enable high research activity status Historically Black Colleges and Universities to achieve very high research activity status; and

(2) to increase the national number of African-American undergraduate and graduate students with degrees in science, technology, engineering, and mathematics.

(c) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the National Science Foundation.

(2) FEDERAL SCIENCE AGENCY.—The term Federal science agency means any Federal agency with an annual extramural research expenditure of over $100,000,000.

(3) HIGH RESEARCH ACTIVITY STATUS.—The term ''high research activity status'' means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''Historically Black College or University'' has the meaning given the term ''part B institution'' under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) VERY HIGH RESEARCH ACTIVITY STATUS.—The term ''very high research activity status'' means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(d) VERY HIGH RESEARCH ACTIVITY STATUS HISTORICALLY BLACK COLLEGES OR UNIVERSITIES PROGRAM.—

(1) PROGRAM.—The Director is authorized to establish and carry out a program to make awards to grow high research activity status (R2) Historically Black Colleges or Universities to achieve very high research activity status (R1) while increasing the national number of African American undergraduate, graduate, and post-doctoral students with degrees in science, technology, engineering, and mathematics. The Director may expand the program to other Historically Black Colleges or Universities beyond those Historically Black Colleges or Universities classified as high research activity status universities if the Director determines that the program can support such an expansion.

(2) GRANTS.—In carrying out the program, the Director shall award grants for scientific research on a competitive, merit-reviewed basis to Historically Black Colleges or Universities that are classified as high research activity status institutions at the time of application for such a grant.

(3) INSTITUTIONAL AWARD LIMITATIONS.—The Director may award not more than $25,000,000 per year for a single institution under this section.

(4) APPLICATION.—

(A) IN GENERAL.—To be eligible to receive a grant under this section, a Historically Black College or University described in paragraph (2) shall submit an application to the Director at such time, in such manner, and containing such information and assurances as the Director may require.

(B) CONTENTS.—The application described in subparagraph (A) shall include, at a minimum, a description of—

(i) a plan for increasing the level of research activity and achieving very high research activity status classification within 10 years of the grant award, including measurable milestones such as growth in research expenditures, number of research doctoral degrees awarded, number of research-focused faculty, and other relevant factors;

(ii) how the institution of higher education will sustain the increased level of research activity beyond the duration of the award; and

(iii) how the implementation of the proposed plan will be evaluated and assessed.

(5) PROGRAM COMPONENTS.—

(A) STRATEGIC AREAS OF SCIENTIFIC RESEARCH.—Through coordination with Historically Black Colleges or Universities that are eligible to receive a grant under this section, the Director, or the Director's designee, shall establish mechanisms through which applicants can seek funding under this section.

(B) USE OF FUNDS.—An institution that receives a grant under this section shall use the grant funds to support research activities, including—

(i) faculty professional development;

(ii) stipends for graduate and undergraduate students and post-doctoral scholars;

(iii) laboratory equipment and instrumentation; and

(iv) other activities necessary to build research capacity.

(C) RESEARCH ASSESSMENT.—

(i) IN GENERAL.—An institution that submits a proposal for a grant under this section shall submit with their proposal a plan that describes the institution's plan to achieve very high research activity status, including making investments with institutional and non-Federal funds, to achieve that status within a decade of the grant award, to the extent practicable.

(ii) UPDATED PLAN.—An institution that receives a grant under this section shall submit to the Foundation an updated plan described in clause (i), not less than once every 3 years, which shall be based on a self-assessment of progress in achieving very high research activity status.

(D) TRANSITION ELIGIBILITY.—The Director may consider creating pathways for new Historically Black Colleges or Universities to enter into the program under this section as

participating institutions achieve very high research activity status.

(e) REPORT ON IMPROVING THE RESEARCH CAPACITY AT HIGH RESEARCH ACTIVITY HISTORICALLY BLACK COLLEGES OR UNIVERSITIES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this division, the National Science and Technology Council shall prepare and submit a report that—

(A) identifies challenges and barriers to Federal research grants for high research activity status Historically Black Colleges or Universities; and

(B) identifies recommendations for Federal science agencies to sustainably boost the research capacity of high research activity status Historically Black Colleges or Universities through grant-making authorities.

(2) REPORT SUBMISSION.—The National Science and Technology Council shall transmit the report to the Director of the National Science Foundation, the Administrator of the National Aeronautics and Space Administration, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of Health and Human Services, and the heads of other such agencies as determined relevant by the National Science and Technology Council.

(3) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The National Science and Technology Council may secure directly from a Federal department or agency such information as the National Science and Technology Council considers necessary to carry out the report under this subsection.

(B) FURNISHING INFORMATION.—Upon a request from the National Science and Technology Council, the head of a Federal department or agency shall furnish such information as is requested to the National Science and Technology Council.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Foundation, for awards under this section, $200,000,000 for fiscal year 2022 and each year thereafter.

SA 1795. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2116 and insert the following:

SEC. 2116. AUTHORIZATION OF APPROPRIATIONS FOR THE FOUNDATION.

(a) FISCAL YEAR 2022.—

(1) FOUNDATION.—There is authorized to be appropriated to the Foundation $12,269,200,000 for fiscal year 2022.

(2) SPECIFIC NSF ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $10,469,200,000 shall be made available to carry out the activities of the Foundation outside of the Directorate, of which $800,000,000 shall be for STEM education and related activities, including workforce activities under section 2202; and

(B) $1,800,000,000 shall be made available to the Directorate, of which—

(i) $594,000,000 shall be for the innovation centers under section 2104;

(ii) $324,000,000 shall be for scholarships, fellowships, and other activities under section 2106;

(iii) $252,000,000 shall be for academic technology transfer under section 2109;

(iv) $180,000,000 shall be for test beds under section 2108;

(v) $270,000,000 shall be for research and development activities under section 2107; and

(vi) an amount equal to 10 percent of the total made available to the Directorate under this subparagraph shall be transferred to the Foundation for collaboration with directorates and offices of the Foundation outside of the Directorate as described under section 2102(c)(7).

(b) FISCAL YEAR 2023.—

(1) FOUNDATION.—There is authorized to be appropriated to the Foundation $14,368,000,000 for fiscal year 2023.

(2) SPECIFIC NSF ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $11,168,000,000 shall be made available to carry out the activities of the Foundation outside of the Directorate, of which $1,190,000,000 shall be for STEM education and related activities, including workforce activities under section 2202; and

(B) $3,200,000,000 shall be made available to the Directorate, of which—

(i) $1,056,000,000 shall be for the innovation centers under section 2104;

(ii) $576,000,000 shall be for scholarships, fellowships, and other activities under section 2106;

(iii) $448,000,000 shall be for academic technology transfer under section 2109;

(iv) $320,000,000 shall be for test beds under section 2108;

(v) $480,000,000 shall be for research and development activities under section 2107; and

(vi) an amount equal to 10 percent of the total made available to the Directorate under this subparagraph shall be transferred to the Foundation for collaboration with directorates and offices of the Foundation outside of the Directorate as described under section 2102(c)(7).

(c) FISCAL YEAR 2024.—

(1) FOUNDATION.—There is authorized to be appropriated to the Foundation $18,198,200,000 for fiscal year 2024.

(2) SPECIFIC NSF ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $11,898,200,000 shall be made available to carry out the activities of the Foundation outside of the Directorate, of which $1,600,000,000 shall be for STEM education and related activities, including workforce activities under section 2202; and

(B) $6,300,000,000 shall be made available to the Directorate, of which—

(i) $2,079,000,000 shall be for the innovation centers under section 2104;

(ii) $1,134,000,000 shall be for scholarships, fellowships, and other activities under section 2106;

(iii) $882,000,000 shall be for academic technology transfer under section 2109;

(iv) $630,000,000 shall be for test beds under section 2108;

(v) $945,000,000 shall be for research and development activities under section 2107; and

(vi) an amount equal to 10 percent of the total made available to the Directorate under this subparagraph shall be transferred to the Foundation for collaboration with directorates and offices of the Foundation outside of the Directorate as described under section 2102(c)(7).

(d) FISCAL YEAR 2025.—

(1) FOUNDATION.—There is authorized to be appropriated to the Foundation $21,061,900,000 for fiscal year 2025.

(2) SPECIFIC NSF ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $12,661,900,000 shall be made available to carry out the activities of the Foundation outside of the Directorate, of which $2,100,000,000 shall be for STEM education and related activities, including workforce activities under section 2202; and

(B) $8,400,000,000 shall be made available to the Directorate, of which—

(i) $2,772,000,000 shall be for the innovation centers under section 2104;

(ii) $1,512,000,000 shall be for scholarships, fellowships, and other activities under section 2106;

(iii) $1,176,000,000 shall be for academic technology transfer under section 2109;

(iv) $840,000,000 shall be for test beds under section 2108;

(v) $1,260,000,000 shall be for research and development activities under section 2107; and

(vi) an amount equal to 10 percent of the total made available to the Directorate under this subparagraph shall be transferred to the Foundation for collaboration with directorates and offices of the Foundation outside of the Directorate as described under section 2102(c)(7).

(e) FISCAL YEAR 2026.—

(1) FOUNDATION.—There is authorized to be appropriated to the Foundation $22,562,520,000 for fiscal year 2026.

(2) SPECIFIC NSF ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $13,262,520,000 shall be made available to carry out the activities of the Foundation outside of the Directorate, of which $2,540,000,000 shall be for STEM education and related activities, including workforce activities under section 2202; and

(B) $9,300,000,000 shall be made available to the Directorate, of which—

(i) $3,069,000,000 shall be for the innovation centers under section 2104;

(ii) $1,674,000,000 shall be for scholarships, fellowships, and other activities under section 2106;

(iii) $1,302,000,000 shall be for academic technology transfer under section 2109;

(iv) $930,000,000 shall be for test beds under section 2108;

(v) $1,395,000,000 shall be for research and development activities under section 2107; and

(vi) an amount equal to 10 percent of the total made available to the Directorate under this subparagraph shall be transferred to the Foundation for collaboration with directorates and offices of the Foundation outside of the Directorate as described under section 2102(c)(7).

(f) ALLOCATION AND LIMITATIONS.—

(1) ALLOCATION FOR THE OFFICE OF INSPECTOR GENERAL.—From any amounts appropriated for the Foundation for a fiscal year, the Director shall allocate for necessary expenses of the Office of Inspector General of the Foundation an amount of not less than $33,000,000 in any fiscal year for oversight of the programs and activities funded under this section in accordance with the Inspector General Act of 1978 (5 U.S.C. App.).

(2) SUPPLEMENT AND NOT SUPPLANT.—The amounts authorized to be appropriated under this section shall supplement, and not supplant, any other amounts previously appropriated to the Office of the Inspector General of the Foundation.

(3) NO NEW AWARDS.—The Director shall not make any new awards for the activities under the Directorate for any fiscal year in which the total amount appropriated to the Foundation (not including amounts appropriated for the Directorate) is less than the total amount appropriated to the Foundation (not including such amounts), adjusted by the rate of inflation, for the previous fiscal year.

(4) NO FUNDS FOR CONSTRUCTION.—No funds provided to the Directorate under this section shall be used for construction.

SA 1796. Mr. DURBIN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2214 and insert the following:

SEC. 2214. CRITICAL MINERALS MINING, RECYCLING, AND ALTERNATIVE TECHNOLOGIES RESEARCH.

(a) CRITICAL MINERALS MINING, RECYCLING, AND ALTERNATIVE TECHNOLOGIES RESEARCH AND DEVELOPMENT AT THE FOUNDATION.—

(1) IN GENERAL.—In order to support supply chain resiliency and reduce the environmental impacts of critical minerals mining, the Director shall issue awards, on a competitive basis, to institutions of higher education, nonprofit organizations, or National Laboratories (or consortia of such institutions or organizations, including consortia that collaborate with private industry) to support basic research that will accelerate innovation to advance critical minerals mining, recycling, and reclamation strategies and technologies for the purpose of making better use of domestic resources, finding alternative technologies, and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) USE OF FUNDS.—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing research activities to improve separation, alloying, manufacturing, or recycling techniques and technologies that can decrease the energy intensity, waste, potential environmental impact, and costs of those activities;

(C) advancing research and development of critical minerals mining and recycling technologies that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technological applications;

(D) conducting research and development on alternative technologies, such as in battery or energy storage technologies that minimize or do not incorporate critical minerals;

(E) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at such sites;

(F) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(G) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(H) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(I) providing training and research opportunities to undergraduate and graduate students to prepare the next generation of mining engineers and researchers.

(b) CRITICAL MINERALS INTERAGENCY SUBCOMMITTEE.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this subsection as the ''Subcommittee'') shall coordinate Federal science and technology efforts to ensure secure and reliable supplies of critical minerals to the United States.

(2) PURPOSES.—The purposes of the Subcommittee shall be—

(A) to advise and assist the Committee on Homeland and National Security and the National Science and Technology Council on United States policies, procedures, and plans as it relates to critical minerals, including—

(i) Federal research, development, and deployment efforts to optimize methods for extractions, concentration, separation, and purification of conventional, secondary, and unconventional sources of critical minerals, including research that prioritizes end-to-end integration of mining and recycling techniques and the end-use target for critical minerals;

(ii) efficient use and reuse of critical minerals, including recycling technologies for critical minerals and the reclamation of critical minerals from components such as spent batteries;

(iii) research, development, and deployment of materials and technologies that can be used in place of technologies utilizing critical minerals, such as battery or energy storage technologies that minimize or do not incorporate critical minerals;

(iv) addressing the technology transitions between research or lab-scale mining and recycling and commercialization of these technologies;

(v) the critical minerals workforce of the United States; and

(vi) United States private industry investments in innovation and technology transfer from federally funded science and technology;

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including activities related to the reclamation of critical minerals via recycling and research and development of alternative technologies;

(C) to ensure the transparency of information and data related to critical minerals; and

(D) 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 minerals necessary to maintain national security, economic well-being, and industrial production.

(3) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(A) 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;

(B) assess the progress toward developing critical minerals recycling and reprocessing technologies, and alternative technologies;

(C) assess the end-to-end lifecycle of critical minerals, including for mining, usage, recycling, and end-use material and technology requirements;

(D) examine options for accessing and developing critical minerals through investment and trade with allies and partners of the United States and provide recommendations;

(E) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(F) assess the need for and make recommendations to address the challenges the United States critical minerals supply chain workforce faces, including—

(i) aging and retiring personnel and faculty;

(ii) public perceptions about the nature of mining and mineral processing; and

(iii) foreign competition for United States talent;

(G) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance—

(i) scientific and technical capabilities across critical mineral supply chains, including a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and alternative technologies; and

(ii) cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development; and

(H) report to the appropriate committees of Congress on activities and findings under this subsection.

(4) MANDATORY RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall, taking into account the findings and recommendations of the relevant advisory committees, identify and evaluate Federal policies and regulations that restrict the mining of critical minerals.

(c) GRANT PROGRAM FOR DEVELOPMENT OF CRITICAL MINERALS AND METALS .—

(1) ESTABLISHMENT.—The Secretary of Commerce, in consultation with the Director, the Secretary of the Interior, and the heads of other relevant Federal agencies, shall establish a grant program to finance pilot projects for the development of critical minerals and metals mining, recycling, and alternative technologies research and development in the United States.

(2) LIMITATION ON GRANT AWARDS.—A grant awarded under paragraph (1) may not exceed $10,000,000.

(3) ECONOMIC VIABILITY.—In awarding grants under paragraph (1), the Secretary of Commerce shall give priority to projects that the Secretary of Commerce determines are likely to be economically viable over the long term.

(4) SECONDARY RECOVERY.—In awarding grants under paragraph (1), the Secretary of Commerce shall seek to award not less than 30 percent of the total amount of grants awarded during the fiscal year for projects relating to secondary recovery of critical minerals and metals.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Commerce $100,000,000 for each of fiscal years 2021 through 2024 to carry out the grant program established under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) ALTERNATIVE TECHNOLOGIES.—The term ''alternative technologies'' means the development of substitute materials that can substantially satisfy the metrics of the end-use application by either significantly minimizing or completely eliminating the need for critical minerals.

(2) CRITICAL MINERAL; CRITICAL MINERAL OR METAL.—The terms ''critical mineral'' and ''critical mineral or metal'' include any host

mineral of a critical mineral (within the meaning of those terms in section 7002 of the Energy Act of 2020 (30 U.S.C. 1606).

(3) END-TO-END.—The term ''end-to-end'', with respect to the integration of mining or life cycle of minerals, means the integrated approach of, or the lifecycle determined by, examining the research and developmental process from the mining of the raw minerals to its processing into useful materials, its integration into components and devices, the utilization of such devices in the end-use application to satisfy certain performance metrics, and the recycling or disposal of such devices.

(4) RECYCLING.—The term ''recycling'' means the process of collecting and processing spent materials and devices and turning them into raw materials or components that can be reused either partially or completely.

(5) SECONDARY RECOVERY.—The term ''secondary recovery'' means the recovery of critical minerals and metals from discarded end-use products or from waste products produced during the metal refining and manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metallurgy activities.

SA 1797. Ms. CORTEZ MASTO (for herself, Mr. MANCHIN, Ms. MURKOWSKI, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsections (c) and (d) of section 2214 (relating to critical minerals mining research) of division B and insert the following:

(c) GRANT PROGRAM FOR PROCESSING OF CRITICAL MINERALS AND DEVELOPMENT OF CRITICAL MINERALS AND METALS.—

(1) ESTABLISHMENT.—The Secretary of Energy, in consultation with the Director, the Secretary of the Interior, and the Secretary of Commerce, shall establish a grant program to finance pilot projects for—

(A) the processing of critical minerals in the United States; or

(B) the development of critical minerals and metals in the United States.

(2) LIMITATION ON GRANT AWARDS.—A grant awarded under paragraph (1) may not exceed $10,000,000.

(3) ECONOMIC VIABILITY.—In awarding grants under paragraph (1), the Secretary of Energy shall give priority to projects that the Secretary of Energy determines are likely to be economically viable over the long term.

(4) SECONDARY RECOVERY.—In awarding grants under paragraph (1), the Secretary of Energy shall seek to award not less than 30 percent of the total amount of grants awarded during the fiscal year for projects relating to secondary recovery of critical minerals and metals.

(5) DOMESTIC PRIORITY.—In awarding grants for the development of critical minerals and metals under paragraph (1)(B), the Secretary of Energy shall prioritize pilot projects that will process the critical minerals and metals domestically.

(6) PROHIBITION ON PROCESSING BY FOREIGN ENTITY OF CONCERN.—In awarding grants under paragraph (1), the Secretary of Energy shall ensure that pilot projects do not export for processing any critical minerals and metals to a foreign entity of concern (as defined in section 2307(a)).

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Energy $100,000,000 for each of fiscal years 2021 through 2024 to carry out the grant program established under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL.—The term ''critical mineral'' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(2) CRITICAL MINERAL AND METAL.—The term ''critical mineral and metal'' includes any host mineral of a critical mineral.

(3) SECONDARY RECOVERY.—The term ''secondary recovery'' means the recovery of critical minerals and metals from discarded end-use products or from waste products produced during the metal refining and manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metallurgy activities.

SA 1798. Ms. WARREN (for herself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV of division C, add the following:

SEC. 3409. REPORT ON UNFAIR COMPETITIVE ADVANTAGES DUE TO POOR LABOR AND ENVIRONMENTAL POLICIES AND PRACTICES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in coordination with the United States Trade Representative and the Secretary of Commerce, shall publish an unclassified report in the Federal Register that identifies, with respect to the 5 United States trading partners whose labor and environmental policies and practices are most concerning—

(1) unfair competitive advantages provided by a government of a country to companies in such country as a result of poor labor policies and practices, including—

(A) barriers to workers' access to independent unions;

(B) the enablement or toleration of forced labor;

(C) the enablement or toleration of child labor; and

(D) the failure of the Government to enforce labor laws and regulations, including law and regulations regarding minimum wage, safe working conditions, and overtime pay; and

(2) unfair competitive advantages provided by a government of a country to companies in such country as a result of poor environmental policies and practices, including—

(A) low air and water quality and pollution emissions standards;

(B) subsidies for polluting energy sources; and

(C) the failure of the Government to enforce environmental laws and regulations, including prohibitions against the dumping of waste.

(b) CONSULTATION.—In preparing the report required under subsection (a), the Secretary of State, in coordination with the United States Trade Representative and the Secretary of Commerce, may, as necessary and appropriate, consult with—

(1) other Federal agencies;

(2) the private sector; and

(3) civil society organizations.

SA 1799. Ms. HASSAN (for herself and Ms. ERNST) submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VIRTUAL CURRENCIES AND THEIR GLOBAL USE.

(a) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Attorney General, the United States Trade Representative, the Board of Governors of the Federal Reserve System, the Office of the Director of National Intelligence, and any other agencies or departments that the Secretary of the Treasury determines are necessary, shall submit to the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate and the Committee on Ways and Means, the Committee on the Judiciary, and Committee on Financial Services of the House of Representatives a report on virtual currency, which shall—

(1) identify and rank the countries that host—

(A) the largest state and private industry generators of virtual currency;

(B) the largest state and private industry users of virtual currency; and

(C) the largest or most active money services businesses that engage in virtual currency transactions;

(2) identify policies adopted by the foreign countries listed in paragraph (3)to develop and protect their domestic virtual currency industry;

(3) identify, to the greatest extent practicable, the types and dollar value of virtual currency mined, as well as an estimate of the amount of energy consumed doing so for each of fiscal years 2016 through 2021 within the United States and globally, as well as within the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Bolivarian Republic of Venezuela, the Republic of Cuba, the Republic of the Union of Myanmar, the Syrian Arab Republic, and the Russian Federation;

(4) identify vulnerabilities, including those related to security, disruptions, and technology availability, of the global microelectronic supply chain with respect to virtual currency mining operations; and

(5) provide policy and legislative recommendations to address the issues identified in paragraphs (3) and (4).

(b) CLASSIFIED ANNEX.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1800. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division E, add the following:

SEC. 5214. MEMBERSHIP OF THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721(k)(2) of the Defense Production Act of 1950 (50 U.S.C. 4565(k)(2)) is amended—

(1) by redesignating subparagraphs (H) through (J) as subparagraphs (I) through (K), respectively; and

(2) by inserting after subparagraph (G) the following:

''(H) The Secretary of Agriculture.''.

SA 1801. Mr. WICKER (for himself, Mrs. SHAHEEN, and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 260, strike lines 11 and 12 and insert the following:

section 2104 of the Endless Frontier Act;

''(J) a cooperative extension; and

''(K) Engineer Research and Development Center laboratories of the Army Corps of Engineers.

SA 1802. Mr. RUBIO (for himself, Mr. BURR, Mr. RISCH, Mr. BLUNT, Mr. COTTON, Mr. CORNYN, and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. COUNTERINTELLIGENCE AND NATIONAL SECURITY PROTECTIONS.

(a) COUNTERINTELLIGENCE SCREENING PROCESS.—

(1) ESTABLISHMENT.—The Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation shall jointly establish a counterintelligence screening process to protect the United States against efforts of China and other foreign entities to engage in economic espionage and to misappropriate United States intellectual property, research and development, and innovation efforts.

(2) FUNCTIONS.—Subject to the joint direction and control of the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation, the counterintelligence screening process established under paragraph (1) shall assess and screen all funds provided under this Act (including grants awarded under this Act) for potential national security threats.

(3) FUNDING.—Amounts required to carry out the process established under paragraph (1) shall be derived from amounts appropriated to carry out this Act.

(b) PROTECTIONS.—

(1) CERTIFICATION REQUIRED FOR RECEIPT OF AMOUNTS.—Notwithstanding any other provision of this Act, no person may receive any amount (including an amount as part of a grant awarded under this Act) or purchase, lease, or otherwise obtain any intellectual property developed through a grant awarded under this Act, unless the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation jointly certify that the person has sufficient protections in place to protect against misappropriation of United States intellectual property, research and development, and innovation efforts, and other threats from foreign governments and other entities.

(2) CERTIFICATION REQUIREMENTS.—Notwithstanding any other provision of this Act, no certification may be made under paragraph (1) with respect to a person unless such person discloses to the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation the following:

(A) Any funding received by the person from a foreign source during the most recent 10-year period.

(B) Any financial or in-kind support received by the person from any entity—

(i) owned or controlled by the Government of the People's Republic of China; or

(ii) in which the Government of the People's Republic of China has an ownership interest.

(C) Any participation of the person in a foreign government talent recruitment program, consistent with section 2303.

SA 1803. Mr. DURBIN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike paragraph (3) of section 4153(f) and insert the following:

(3) STRATEGIC NATIONAL STOCKPILE.—Section 319F–2(a) of the Public Health Service Act (42 U.S.C. 247d–6b(a)) is amended by adding at the end the following:

''(6) TRANSFER OF ITEMS.—

''(A) IN GENERAL.—During the 6-year period that begins on the date of enactment of this paragraph, the Secretary, in coordination with the Secretary of Homeland Security, may, at appropriate intervals, sell or transfer drugs, vaccines and other biological products, medical devices, or other supplies maintained in the stockpile under paragraph (1) to a Federal agency or private, nonprofit, State, local, tribal, or territorial entity.

''(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary—

''(i) shall, on a regular basis, assess the stock of such equipment and communicate to manufacturers and suppliers of such equipment to the stockpile under paragraph (1) if such assessment indicates that there will be an increased need for such equipment;

''(ii) shall, for any sale or transfer or any such equipment, do so at a competitive and fair price, as determined by the Secretary, taking into account the current market pricing for the applicable equipment and the operational budget for the stockpile;

''(iii) shall, prior to any sale of such equipment in the commercial market, including a sale to a private or nonprofit entity described in subparagraph (A), provide adequate notification to relevant manufacturers, distributors, or other appropriate entities in order to mitigate any commercial disruption from such sale;

''(iv) may enter into a contract or cooperative agreement with an entity that has expertise in supply chain logistics and management, including a group purchasing organization or medical product distributor, to carry out activities described in this paragraph, which may include facilitating timeliness, logistical assistance, appropriate pricing, and to determine appropriate amounts of such equipment; and

''(v) may, for purposes of meeting the goals described in subparagraph (A), and to promote efficient and predictable operations of the stockpile while mitigating the risk of product expiration or shortages, enter into arrangements, through a competitive bidding process, with one or more manufacturers or such products to establish and utilize revolving stockpiles of such products managed and operated by such manufacturer.

''(C) REVOLVING STOCKPILE ARRANGEMENTS.—Under an arrangement described in subparagraph (B)(v)—

''(i) the manufacturer (or a subcontractor or agent of the manufacturer)—

''(I) shall—

''(aa) produce or procure such equipment for the stockpile under paragraph (1);

''(bb) maintain constant supply, possession, and re-stocking capacity of such equipment in such quantities as the Secretary requires for purposes of the stockpile under paragraph (1); and

''(cc) fulfill or support the deployment, distribution, or dispensing functions of the stockpile at the State and local levels, consistent with paragraph (3); and

''(II) may sell or transfer such equipment for the purposes of the manufacturer's existing inventory and commercial contracts; and

''(ii) the Secretary shall pay a management fee, which may include compensation to the manufacturer for such equipment, as appropriate.

''(D) COMPENSATION TO HHS.—In the case of a sale or transfer of such equipment to an entity described in subparagraph (A), the proceeds from the sale shall be transferred to the Secretary and be made available, without further appropriation, until expended, for purposes of procuring such equipment for the stockpile under paragraph (1).''.

SA 1804. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ROLE OF THE COMMISSIONER AND INTERNATIONAL AGREEMENTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the United States Section of the International Boundary and Water Commission.

(3) NEW RIVER.—The term ''New River'' means the river that starts in Mexicali, Mexico, flows north into the United States through Calexico, passes through the Imperial Valley, and drains into the Salton Sea.

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

(5) TIJUANA RIVER.—The term ''Tijuana River'' means the river that rises in the Sierra de Juarez in Mexico, flows through the City of Tijuana and then north into the United States, passes through the Tijuana River estuary, and drains into the Pacific Ocean.

(b) WASTEWATER AND STORMWATER AUTHORITY.—The Commissioner may study, design, construct, operate, and maintain projects to manage, improve, and protect the quality of wastewater, stormwater runoff, and other untreated flows in the Tijuana River watershed and the New River watershed.

(c) TIJUANA AND NEW RIVER PROJECTS WITHIN THE UNITED STATES.—The Secretary, acting through the Commissioner, shall—

(1) construct, operate, and maintain projects that—

(A) are on a priority list developed by the Environmental Protection Agency for projects in the Tijuana River watershed or New River watershed;

(B) are within the United States; and

(C) improve the water quality of the Tijuana River watershed or the New River watershed, as applicable; and

(2) use available funds, including funds received from the Administrator, to construct, operate, and maintain the projects described in paragraph (1).

(d) AGREEMENTS WITH MEXICO.—The Secretary, acting through the Commissioner, may execute an agreement with the appropriate official or officials of the Government of Mexico for—

(1) the joint study and design of stormwater control and water quality projects; and

(2) on approval of the necessary plans and specifications of the projects described in paragraph (1), the construction, operation, and maintenance of those projects by the United States and Mexico, in accordance with the treaty relating to the utilization of the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, and supplementary protocol, signed at Washington February 3, 1944 (59 Stat. 1219), between the United States and Mexico.

(e) SAVINGS PROVISION.—Nothing in this section limits the authority of the International Boundary and Water Commission any other provision of law.

SA 1805. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. UNITED STATES-MEXICO BORDER WATERS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the United States Section of the International Boundary and Water Commission.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means the United States Section of the International Boundary and Water Commission, a State, a local government, an Indian Tribe, or a water or wastewater district with jurisdiction over any area in the United States or Mexico that is located within 100 kilometers of the United States-Mexico border.

(4) ELIGIBLE PROJECT.—

(A) IN GENERAL.—The term ''eligible project'' means a project for the construction of infrastructure for drinking water treatment or distribution, wastewater management, or stormwater management, including natural and green infrastructure and infrastructure for water reuse and water recycling, that—

(i) addresses an existing human health or ecological issue;

(ii) has an effect in the United States;

(iii) with respect to wastewater management infrastructure the water discharged from which will flow, directly or indirectly, into the United States, is designed to meet, to the maximum extent practicable, all relevant water quality standards of the country in which the project is located, including, for projects located in the United States, any applicable standards established under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(iv) is proposed by an eligible entity with legal authority—

(I) to develop the project;

(II) to provide the proposed drinking water or wastewater services; and

(III) to obtain necessary financing, including operations and maintenance funding;

(v) will comply with relevant State and local environmental and other laws (including regulations), including with respect to—

(I) obtaining any necessary operating permits and licenses; and

(II) complying with any other regulatory requirements related to land acquisition and rights-of-way; and

(vi) has the support of appropriate Mexican Federal and State agencies, including the Comision Nacional de Agua (commonly known as ''CONAGUA'' or the Mexican National Water Commission) and any appropriate State or municipal water utility, if the project is located in Mexico.

(B) EXCLUSIONS.—The term ''eligible project'' does not include a project—

(i) for new water supply;

(ii) that threatens an ecosystem located in the United States, or that is located in both the United States and Mexico, if the project causes a reduction in the flow of water; or

(iii) to provide drinking water, wastewater, or stormwater services to enable new development.

(5) NEW RIVER.—The term ''New River'' means the river that starts in Mexicali, Mexico, flows north into the United States through Calexico, passes through the Imperial Valley, and drains into the Salton Sea.

(6) PROGRAM.—The term ''program'' means the program established under subsection (b)(1).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(8) TIJUANA RIVER.—The term ''Tijuana River'' means the river that rises in the Sierra de Juarez in Mexico, flows through the City of Tijuana and then north into the United States, passes through the Tijuana River estuary, and drains into the Pacific Ocean.

(b) UNITED STATES-MEXICO BORDER WATER INFRASTRUCTURE PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall carry out a program to provide assistance to eligible entities for activities related to eligible projects, including feasibility studies, planning studies, environmental assessments, financial analyses, community participation efforts, and architectural, engineering, planning, design, construction, and operations and maintenance activities.

(2) CONSULTATION.—In carrying out the program, the Administrator shall consult with the North American Development Bank.

(3) COORDINATION.—In carrying out the program, the Administrator shall coordinate with Federal, State, local, and Tribal entities in the border region, including the Department of Homeland Security, the International Boundary and Water Commission, and relevant State agencies.

(4) PROJECT SELECTION.—

(A) IN GENERAL.—In selecting projects for which to provide assistance under the program, the Administrator shall select projects in accordance with—

(i) subparagraph (B); and

(ii) any other criteria determined appropriate by the Administrator.

(B) PRIORITIZATION.—In carrying out subparagraph (A), the Administrator shall prioritize projects that—

(i) are identified in a plan developed by the Administrator for projects to be carried out in the Tijuana River or New River; or

(ii)(I) are likely to have the greatest positive effects relating to the environment and public health;

(II) will result in benefits on the United States side of the United States-Mexico border;

(III) address the most urgent public health and environmental needs, as determined by the heads of the Regional offices for Regions 6 and 9 of the Environmental Protection Agency; and

(IV) maximize sustainable practices, such as water reuse and water recycling, natural and green infrastructure, water efficiency, and conservation.

(5) TERMS AND CONDITIONS.—The Administrator may establish such terms and conditions on assistance provided under the program as the Administrator determines appropriate.

(6) COST SHARE.—The Administrator may establish a Federal share requirement for any project carried out using any assistance

proved under this section on an individual project basis.

(7) REGIONAL ALLOCATIONS.—The amounts made available to carry out this section shall be made available in equal amounts for use by the Regional offices for Regions 6 and 9 of the Environmental Protection Agency.

(c) ROLE OF THE COMMISSIONER AND INTERNATIONAL AGREEMENTS.—

(1) WASTEWATER AND STORMWATER AUTHORITY.—The Commissioner may study, design, construct, operate, and maintain projects to manage, improve, and protect the quality of wastewater, stormwater runoff, and other untreated flows in the Tijuana River watershed and the New River watershed.

(2) TIJUANA AND NEW RIVER PROJECTS WITHIN THE UNITED STATES.—The Secretary, acting through the Commissioner, shall—

(A) construct, operate, and maintain projects that—

(i) are on a priority list developed by the Environmental Protection Agency for projects in the Tijuana River watershed or New River watershed;

(ii) are within the United States; and

(iii) improve the water quality of the Tijuana River watershed or the New River watershed, as applicable; and

(B) use available funds, including funds received under this section, to construct, operate, and maintain the projects described in subparagraph (A).

(3) AGREEMENTS WITH MEXICO.—The Secretary, acting through the Commissioner, may execute an agreement with the appropriate official or officials of the Government of Mexico for—

(A) the joint study and design of stormwater control and water quality projects; and

(B) on approval of the necessary plans and specifications of the projects described in subparagraph (A), the construction, operation, and maintenance of those projects by the United States and Mexico, in accordance with the treaty relating to the utilization of the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, and supplementary protocol, signed at Washington February 3, 1944 (59 Stat. 1219), between the United States and Mexico.

(4) FUNDING.—A project located wholly or partially within Mexico shall be eligible for funding under the program if the project is—

(A) identified under and consistent with the results of the study under paragraph (3)(A); and

(B) approved pursuant to paragraph (3)(B).

(5) SAVINGS PROVISION.—Nothing in this subsection limits the authority of the International Boundary and Water Commission under this section or any other provision of law.

SA 1806. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INTERNATIONAL ETHICAL STANDARDS IN GENOME EDITING RESEARCH.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State, in consultation with relevant Federal agencies, should work with other nations and international organizations, including the United Nations and the World Health Organization, to carefully evaluate the distinct medical, ethical, and societal issues raised by the prospect of heritable human genome editing through democratic public discussion, with the goal of forging international consensus, while supporting the medical potential of somatic genome editing.

(b) GAO REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress, and post on a publicly accessible website of the Government Accountability Office, a report containing recommendations for—

(1) achieving widespread societal engagement on heritable human genome editing; and

(2) addressing current gaps in national and international systems for governing activities related to such issue.

SA 1807. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsection (a) of section 2104 and insert the following:

(a) UNIVERSITY TECHNOLOGY CENTER PROGRAM.—

(1) IN GENERAL.—From amounts made available to the Directorate, the Director shall establish a program in the Directorate to make awards, through a competitive selection process, to eligible entities to establish university technology centers.

(2) PURPOSE.—The purpose of the university technology centers shall be to—

(A) conduct multi-disciplinary, collaborative basic and applied research, relevant to at least one of the key technology focus areas;

(B) leverage the expertise of multi-disciplinary and multi-sector partners, including partners from private industry;

(C) further the development, deployment, and commercialization of innovations, including inventions, in the key technology focus areas, including those derived from the activities of the university technology center;

(D) support the development of scientific, innovation, entrepreneurial, and educational capacity within the region of the university technology center; and

(E) support graduate students and postdoctoral researchers with training and professional mentoring towards their future employment in STEM fields.

(3) USE OF FUNDS.—University technology centers established under this subsection may use support provided—

(A) to carry out research to advance innovation in the key technology focus areas;

(B) for technology development activities such as proof-of-concept development, prototyping, design modification, experimental development, and other actions to reduce the cost, time, and risk of commercializing new technologies;

(C) for the costs of equipment and cyber infrastructure;

(D) for the costs associated with technology transfer and commercialization, including patenting and licensing;

(E) for operations and staff; or

(F) for trainee development pilot programs, as described in paragraph (8).

(4) SELECTION PROCESS.—In selecting recipients under this subsection, the Director shall consider, in addition to the scientific and technical merit of the proposal—

(A) maximizing regional and geographic diversity of the university technology centers, including by considering rural-serving institutions of higher education (as defined in section 861(b) of the Higher Education Act of 1965 (20 U.S.C. 1161a(b));

(B) the extent to which the applicant's proposal would broaden participation by populations underrepresented in STEM;

(C) the capacity of the applicant to engage industry, labor, and other appropriate organizations and, where applicable, contribute to growth in domestic manufacturing capacity and job creation;

(D) in the case of a consortium, the extent to which the proposal includes institutions listed in paragraph (7)(C)(ii);

(E) the amount of funds from industry organizations described in paragraph (5)(A)(ii) the applicant would use towards establishing the university technology center;

(F) the plan and capability of the applicant to take measures to prevent the inappropriate use of the research and technology of the center, including research results, data, and intellectual property, as appropriate and consistent with the requirements of the relevant award; and

(G) the plan and capability of the applicant to support proof-of-concept development and prototyping as well as technology transfer and commercialization activities.

(5) REQUIREMENTS.—

(A) IN GENERAL.—The Director shall ensure that any eligible entity receiving an award under this subsection has—

(i) the capacity or the ability to acquire the capacity to advance the purposes described in section 2102(b); and

(ii) secured contributions for establishing the university technology center under this subsection from industry or other non-Federal organizations in an amount not less than 10 percent of the total amount of the award the eligible entity would receive under this subsection.

(B) CONSORTIUM ELIGIBILITY.—To be eligible to receive an award for the establishment and operation of a university technology center, a consortium shall be composed of not fewer than 2 entities as described in paragraph (7)(C) and operate subject to a binding agreement, entered into by each member of the consortium, that documents—

(i) the proposed partnership agreement, including the governance and management structure of the university technology center;

(ii) measures the consortium will undertake to enable cost-effective implementation of activities under paragraph (3);

(iii) a proposed budget, including financial contributions from non-Federal sources; and

(iv) the plan for ownership and use of any intellectual property developed by the center.

(6) SUPPORT OF REGIONAL TECHNOLOGY HUBS.—Each university technology center established under this subsection may support and participate in, as appropriate, the activities of any regional technology hub designated under section 28 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.), as amended by section 2401 of this Act.

(7) ELIGIBLE ENTITY.—In this subsection, the term ''eligible entity'' means—

(A) an individual institution of higher education;

(B) a nonprofit entity; or

(C) a consortium that—

(i) shall include and be led by an institution of higher education or by a nonprofit entity, designed to support technology development;

(ii) shall include 1 or more institution that is—

(I) a historically Black college or university;

(II) a Tribal College or University;

(III) a minority-serving institution (or an institution of higher education with an established STEM capacity building program focused on traditionally underrepresented populations in STEM, including Native Hawaiians, Alaska Natives, and other Indians);

(IV) an institution that participates in the Established Program to Stimulate Competitive Research under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

(V) an emerging research institution; or

(VI) a community college; and

(iii) may include 1 or more—

(I) additional entities described in subparagraph (A) or (B);

(II) industry entities, including startups, small businesses, and public private partnerships;

(III) economic development organizations or venture development organizations, as such terms are defined in section 28(a) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 13701 et seq.), as amended by section 2401 of this Act;

(IV) National Laboratories;

(V) Federal laboratories, as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703);

(VI) Federal research facilities;

(VII) labor organizations;

(VIII) entities described in subparagraph (A) or (B) from allied or partner countries;

(IX) other entities if determined by the Director to be vital to the success of the program; and

(X) binational research and development foundations and funds, excluding foreign entities of concern, as defined in section 2307.

(8) TRAINEE DEVELOPMENT PILOT PROGRAM.—

(A) ESTABLISHMENT OF PILOT PROGRAM.—At not more than 3 university technology centers that are consortia under paragraph (7)(C), the Director may include support for trainee development under the leadership of a member of the consortium that is an institution described under paragraph (7)(C)(ii). Such programs shall be selected to ensure geographical diversity and service to populations underrepresented in STEM fields, and shall perform the following activities:

(i) Training and technical assistance for graduate students and postdoctoral researchers on—

(I) researching and assessing available grant and fellowship opportunities;

(II) preparing and submitting grants and fellowship applications that leverage their research and experience; and

(III) administering grant funding, and leveraging grants and fellowships into longer term employment opportunities.

(ii) Establishing professional mentoring networks that include Federal, State, local, and Tribal government agencies and the private sector, as well as members of the regional technology hubs established under section 28(b)(1)(A) of the Stevenson-Wydler Technology Innovation Act of 1980 (Public Law 96–480; 15 U.S.C. 3701 et seq.).

(iii) Other support determined to be necessary or advisable by the Director to achieve the purposes of this title.

(B) ASSESSMENT.—Not later than 5 years after the date of enactment of this Act, the Foundation shall assess the impacts of the trainee development programs established under this paragraph and report its findings to Congress. Such assessment shall include perspectives from participating graduate students and postdoctoral researchers.

SA 1808. Mr. MANCHIN (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division F, insert the following:

SECTION 63___. PROPERTY INTERESTS RELATING TO CERTAIN PROJECTS AND PROTECTION OF INFORMATION RELATING TO CERTAIN AGREEMENTS.

(a) PROPERTY INTERESTS RELATING TO FEDERALLY FUNDED ADVANCED NUCLEAR REACTOR PROJECTS.—

(1) DEFINITIONS.—In this section:

(A) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(B) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(C) PROPERTY INTEREST.—

(i) IN GENERAL.—Except as provided in clause (ii), the term ''property interest'' means any interest in real property or personal property (as those terms are defined in section 200.1 of title 2, Code of Federal Regulations (as in effect on the date of enactment of this Act)).

(ii) EXCLUSION.—The term ''property interest'' does not include any interest in intellectual property developed using funding provided under a project described in paragraph (3).

(D) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(2) ASSIGNMENT OF PROPERTY INTERESTS.—The Secretary may assign to any entity, including the United States, fee title or any other property interest acquired by the Secretary under an agreement entered into with respect to a project described in paragraph (3).

(3) PROJECT DESCRIBED.—A project referred to in paragraph (2) is—

(A) a project for which funding is provided pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271, including any project for which funding has been provided pursuant to that announcement as of the date of enactment of this Act;

(B) any other project for which funding is provided using amounts made available for the Advanced Reactor Demonstration Program of the Department under the heading ''NUCLEAR ENERGY'' under the heading ''ENERGY PROGRAMS'' in title III of division C of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94; 133 Stat. 2670);

(C) any other project for which Federal funding is provided under the Advanced Reactor Demonstration Program of the Department; or

(D) a project—

(i) relating to advanced nuclear reactors; and

(ii) for which Federal funding is provided under a program that is similar to, or a successor of, the Advanced Reactor Demonstration Program of the Department.

(4) RETROACTIVE VESTING.—The vesting of fee title or any other property interest assigned under paragraph (2) shall be retroactive to the date on which the applicable project first received Federal funding as described in any of subparagraphs (A) through (D) of paragraph (3).

(b) CONSIDERATIONS IN COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—

(1) IN GENERAL.—Section 12(c)(7)(B) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(7)(B)) is amended—

(A) by inserting ''(i)'' after ''(B)'';

(B) in clause (i), as so designated, by striking ''The director'' and inserting ''Subject to clause (ii), the director''; and

(C) by adding at the end the following:

''(II) The agency may authorize the director to provide appropriate protections against dissemination described in clause (i) for a total period of not more than 30 years if the agency determines that the nature of the information protected against dissemination, including nuclear technology, could reasonably require an extended period of that protection to reach commercialization.''.

(2) APPLICABILITY.—

(A) DEFINITION.—In this subsection, the term ''cooperative research and development agreement'' has the meaning given the term in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)).

(B) RETROACTIVE EFFECT.—Clause (ii) of section 12(c)(7)(B) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(7)(B)), as added by subsection (a) of this section, shall apply with respect to any cooperative research and development agreement that is in effect as of the day before the date of enactment of this Act.

(c) DEPARTMENT OF ENERGY CONTRACTS.—Section 646(g)(5) of the Department of Energy Organization Act (42 U.S.C. 7256(g)(5)) is amended—

(1) by striking ''(5) The Secretary'' and inserting the following:

''(5) PROTECTION FROM DISCLOSURE.—

''(A) IN GENERAL.—The Secretary''; and

(2) in subparagraph (A) (as so designated)—

(A) by striking '', for up to 5 years after the date on which the information is developed,''; and

(B) by striking ''agency.'' and inserting the following: ''agency—

''(i) for up to 5 years after the date on which the information is developed; or

''(ii) for up to 30 years after the date on which the information is developed, if the Secretary determines that the nature of the technology under the transaction, including nuclear technology, could reasonably require an extended period of protection from disclosure to reach commercialization.

''(B) EXTENSION DURING TERM.—The Secretary may extend the period of protection from disclosure during the term of any transaction described in subparagraph (A) in accordance with that subparagraph.''.

SA 1809. Mr. MANCHIN (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a

strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. 25___. UNIVERSITY INFRASTRUCTURE REVITALIZATION PROGRAM.

(a) PURPOSES.—The purposes of this section are—

(1) to upgrade and expand nuclear research capabilities of universities in the United States to meet the research requirements of advanced nuclear energy systems;

(2) to establish regional nuclear innovation hubs and university-led consortia to support innovation in nuclear science and engineering and related disciplines; and

(3) to ensure the continued operation of university research reactors.

(b) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) EPSCoR UNIVERSITY.—The term ''EPSCoR university'' means an institution of higher education that participates in the Established Program to Stimulate Competitive Research Federal-State partnership program designed to enhance the capabilities of universities to conduct sustainable and nationally competitive energy-related research administered by the Department of Energy.

(3) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''historically Black college or university'' has the meaning given the term ''part B institution'' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(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) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' has the meaning given the term ''minority institution'' in section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k).

(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) PROGRAM.—The term ''program'' means the University Infrastructure Revitalization Program established under subsection (c).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(c) ESTABLISHMENT OF PROGRAM.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish a program, to be known as the ''University Infrastructure Revitalization Program'', to promote collaborations, partnerships, and knowledge sharing between institutions of higher education, including EPSCoR universities, historically Black colleges and universities, and minority-serving institutions, National Laboratories, industry, and associated labor unions with the mission to revitalize and upgrade existing nuclear science and engineering infrastructure and develop new capabilities and expertise to support the development of advanced nuclear reactor technologies and applications.

(d) CONSORTIA.—

(1) IN GENERAL.—In carrying out the program, the Secretary shall establish university-led consortia comprised of institutions of higher education, including EPSCoR universities, historically Black colleges and universities, and minority-serving institutions, National Laboratories, industry, and associated labor unions to enhance university-based nuclear science and engineering infrastructure.

(2) ACTIVITIES.—The Secretary shall competitively award to consortia established under paragraph (1) awards—

(A) to enhance existing capabilities and establish new capabilities and expertise;

(B) to provide project management services and support, technical support, quality engineering and inspections, and nuclear material support to—

(i) existing university nuclear science and engineering programs in the United States as of the date of enactment of this Act;

(ii) the 25 existing research reactors at universities in the United States as of the date of enactment of this Act; and

(iii) new and emerging nuclear science and engineering programs at institutions of higher education, including—

(I) EPSCoR universities;

(II) historically Black colleges and universities; and

(III) minority-serving institutions.

(e) FUNDING.—Notwithstanding any other provision of this Act, out of any amounts appropriated pursuant to section 2117(a), there shall be made available to the Secretary to carry out this section $50,000,000 for each of fiscal years 2022 through 2026.

SA 1810. Mr. GRASSLEY (for himself, Ms. HASSAN, Mr. CORNYN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXTENSION OF TEMPORARY ORDER FOR FENTANYL-RELATED SUBSTANCES.

(a) IN GENERAL.—Section 2 of the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act (Public Law 116–114; 134 Stat. 103) is amended by striking ''October 22, 2021'' and inserting ''December 16, 2022''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect as if enacted as part of the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act (Public Law 116–114; 134 Stat. 103).

SA 1811. Mr. DURBIN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2214 and insert the following:

SEC. 2214. CRITICAL MINERALS MINING, RECYCLING, AND ALTERNATIVE TECHNOLOGIES RESEARCH.

(a) CRITICAL MINERALS MINING, RECYCLING, AND ALTERNATIVE TECHNOLOGIES RESEARCH AND DEVELOPMENT AT THE FOUNDATION.—

(1) IN GENERAL.—In order to support supply chain resiliency and reduce the environmental impacts of critical minerals mining, the Director shall issue awards, on a competitive basis, to institutions of higher education, nonprofit organizations, or National Laboratories (or consortia of such institutions or organizations, including consortia that collaborate with private industry) to support basic research that will accelerate innovation to advance critical minerals mining, recycling, and reclamation strategies and technologies for the purpose of making better use of domestic resources, finding alternative technologies, and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) USE OF FUNDS.—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing research activities to improve separation, alloying, manufacturing, or recycling techniques and technologies that can decrease the energy intensity, waste, potential environmental impact, and costs of those activities;

(C) advancing research and development of critical minerals mining and recycling technologies that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technological applications;

(D) conducting research and development on alternative technologies, such as in battery or energy storage technologies that minimize or do not incorporate critical minerals;

(E) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at such sites;

(F) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(G) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(H) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(I) providing training and research opportunities to undergraduate and graduate students to prepare the next generation of mining engineers and researchers.

(b) CRITICAL MINERALS INTERAGENCY SUBCOMMITTEE.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this subsection as the ''Subcommittee'') shall coordinate Federal science and technology efforts to ensure secure and reliable supplies of critical minerals to the United States.

(2) PURPOSES.—The purposes of the Subcommittee shall be—

(A) to advise and assist the Committee on Homeland and National Security and the National Science and Technology Council on United States policies, procedures, and plans as it relates to critical minerals, including—

(i) Federal research, development, and deployment efforts to optimize methods for extractions, concentration, separation, and purification of conventional, secondary, and unconventional sources of critical minerals, including research that prioritizes end-to-end integration of mining and recycling techniques and the end-use target for critical minerals;

(ii) efficient use and reuse of critical minerals, including recycling technologies for critical minerals and the reclamation of critical minerals from components such as spent batteries;

(iii) research, development, and deployment of materials and technologies that can be used in place of technologies utilizing critical minerals, such as battery or energy storage technologies that minimize or do not incorporate critical minerals;

(iv) addressing the technology transitions between research or lab-scale mining and recycling and commercialization of these technologies;

(v) the critical minerals workforce of the United States; and

(vi) United States private industry investments in innovation and technology transfer from federally funded science and technology;

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including activities related to the reclamation of critical minerals via recycling and research and development of alternative technologies;

(C) to ensure the transparency of information and data related to critical minerals; and

(D) 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 minerals necessary to maintain national security, economic well-being, and industrial production.

(3) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(A) 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;

(B) assess the progress toward developing critical minerals recycling and reprocessing technologies, and alternative technologies;

(C) assess the end-to-end lifecycle of critical minerals, including for mining, usage, recycling, and end-use material and technology requirements;

(D) examine options for accessing and developing critical minerals through investment and trade with allies and partners of the United States and provide recommendations;

(E) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(F) assess the need for and make recommendations to address the challenges the United States critical minerals supply chain workforce faces, including—

(i) aging and retiring personnel and faculty;

(ii) public perceptions about the nature of mining and mineral processing; and

(iii) foreign competition for United States talent;

(G) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance—

(i) scientific and technical capabilities across critical mineral supply chains, including a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and alternative technologies; and

(ii) cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development; and

(H) report to the appropriate committees of Congress on activities and findings under this subsection.

(4) MANDATORY RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall, taking into account the findings and recommendations of the relevant advisory committees, identify and evaluate Federal policies and regulations that restrict the mining of critical minerals.

(c) GRANT PROGRAM FOR DEVELOPMENT OF CRITICAL MINERALS AND METALS .—

(1) ESTABLISHMENT.—The Secretary of Commerce, in consultation with the Director, the Secretary of the Interior, and the heads of other relevant Federal agencies, shall establish a grant program to finance pilot projects for the development of critical minerals and metals mining, recycling, and alternative technologies research and development in the United States.

(2) LIMITATION ON GRANT AWARDS.—A grant awarded under paragraph (1) may not exceed $10,000,000.

(3) ECONOMIC VIABILITY.—In awarding grants under paragraph (1), the Secretary of Commerce shall give priority to projects that the Secretary of Commerce determines are likely to be economically viable over the long term.

(4) SECONDARY RECOVERY.—In awarding grants under paragraph (1), the Secretary of Commerce shall seek to award not less than 30 percent of the total amount of grants awarded during the fiscal year for projects relating to secondary recovery of critical minerals and metals.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Commerce $100,000,000 for each of fiscal years 2021 through 2024 to carry out the grant program established under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) ALTERNATIVE TECHNOLOGIES.—The term ''alternative technologies'' means the development of substitute materials that can substantially satisfy the metrics of the end-use application by either significantly minimizing or completely eliminating the need for critical minerals.

(2) CRITICAL MINERAL; CRITICAL MINERAL OR METAL.—The terms ''critical mineral'' and ''critical mineral or metal'' include any host mineral of a critical mineral (within the meaning of those terms in section 7002 of the Energy Act of 2020 (30 U.S.C. 1606).

(3) END-TO-END.—The term ''end-to-end'', with respect to the integration of mining or life cycle of minerals, means the integrated approach of, or the lifecycle determined by, examining the research and developmental process from the mining of the raw minerals to its processing into useful materials, its integration into components and devices, the utilization of such devices in the end-use application to satisfy certain performance metrics, and the recycling or disposal of such devices.

(4) RECYCLING.—The term ''recycling'' means the process of collecting and processing spent materials and devices and turning them into raw materials or components that can be reused either partially or completely.

(5) SECONDARY RECOVERY.—The term ''secondary recovery'' means the recovery of critical minerals and metals from discarded end-use products or from waste products produced during the metal refining and manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metallurgy activities.

SA 1812. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 1146, beginning on line 20, strike ''United States; and'' and all that follows through ''(2) be for'' on line 21 and insert the following: ''United States;

(2) ensure the retention of jobs at manufacturing facilities that have been active in the production of personal protective equipment within the year preceding the date of the enactment of this Act; and

(3) be for

SA 1813. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, insert the following:

SEC. 1004. TAXPAYER PROTECTIONS.

The head of the relevant Federal agency or department may receive warrants, options, preferred stock, debt securities, notes, or other financial instruments issued by recipients of financial assistance made available under section 1002 or 1003, which, in the sole determination of the head of the Federal agency or department, provide appropriate compensation to the Federal Government for the provision of the financial assistance.

SA 1814. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 347, strike lines 2 and 3 and insert the following:

economy of the United States.'';

(2) in subsection (a), by adding at the end the following:

''(6) TAXPAYER PROTECTIONS.—The Secretary may receive warrants, options, preferred stock, debt securities, notes, or other financial instruments issued by covered entities that receive a financial assistance award under this subsection which, in the sole determination of the Secretary, provide appropriate compensation to the Federal Government for the provision of the financial assistance award.''; and

(3) by adding at the end the following:

SA 1815. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I of division D, add the following:

SEC. 1. PROHIBITION ON PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT MANUFACTURED IN CHINA.

No Federal funds may be used to procure personal protective equipment manufactured in the People's Republic of China or in any facility owned or controlled by the Chinese Communist Party.

SA 1816. Mr. KELLY (for himself and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IMPROVEMENTS RELATING TO NATIONAL NETWORK FOR MICROELECTRONICS RESEARCH AND DEVELOPMENT.

Section 9903(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) in paragraph (1), in the matter before subparagraph (A), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following new paragraphs:

''(3) STRUCTURE.—(A) In carrying out paragraph (1), the Secretary shall, through a competitive process, select—

''(i) three eligible entities to carry out the core activities described in paragraph (2) as part of the network established under paragraph (1);

''(ii) up to ten eligible entities to carry out the hub activities described in paragraph (2) as part of the network established under paragraph (1);

''(iii) an eligible entity—

''(I) to conduct the competition for selecting the core activities and the hub activities; and

''(II) establishing and managing the network established under paragraph (1).

''(B) The Secretary shall ensure that the eligible entities selected under subparagraph (A) collectively represent the geographic diversity of the United States.

''(C) The Secretary shall ensure that each eligible entity selected under subparagraph (A) leads a distinct area of research determined by the Secretary.

''(D) In carrying out activities described in paragraph (2) as part of the network established under paragraph (1), an eligible entity selected under subparagraph (A) may award a subcontract to an additional entity to carry out work on behalf of the eligible entity.

''(E)(i) In this paragraph—

''(I) a core activity is an activity that is capable of producing 300 millimeter silicon wafers to enable direct technology transfer to domestic state of the art fabricators of silicon wafers; and

''(II) a hub activity is an activity specialized in one or more microelectronics innovation areas and is capable of producing 200 millimeter silicon wafers to enable technology transfer to a core activity.

''(ii) For purposes of this paragraph, both core activities and hub activities are activities that support the maturation and transfer of leap ahead, new computing concepts, devices and materials, and beyond approaches, in effect as of the date of the enactment of this paragraph, for the complementary-symmetry metal-oxide-semiconductor (CMOS) fabrication process.

''(4) ELIGIBLE ENTITIES.—(A) For purposes of clauses (i) and (ii) of paragraph (3)(A), an eligible entity is—

''(i) an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

''(ii) a consortium led by an institution of higher education (as so defined) and one or more nonprofit or not-for-profit research institutions, operators of a federally funded research and development center, or for-profit entities.

''(B) For purposes of paragraph (3)(A)(iii), an eligible entity is a suitably qualified nonprofit or governmental organization.

''(5) PRIORITY.—In selecting eligible entities under paragraph (3)(A), the Secretary shall give priority to eligible entities that are located in close proximity to existing semiconductor manufacturing and research and development entities.''.

SA 1817. Mr. BURR (for himself, Mr. BLUNT, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. UNITED STATES EMERGENCY PLAN FOR COVID-19 VACCINES.

(a) IN GENERAL.—The Secretary of State shall, as appropriate, provide assistance to prevent, mitigate, and respond to the COVID-19 pandemic through the purchase and delivery of vaccines to regions or countries affected by, or at risk of, COVID-19. The Secretary—

(1) may provide such assistance through existing bilateral or multilateral agreements;

(2) shall maximize public-private partnerships in the purchase and delivery of such vaccines; and

(3) shall furnish such assistance, consistent with subsection (b) and on such terms as the Secretary may determine, to support global health security and to prevent and mitigate the spread of COVID-19.

(b) REQUIREMENTS.—As a condition of receipt of vaccines provided for under this section, a country shall commit to uphold intellectual property protections related to COVID-19 vaccines under the Agreement on Trade-Related Aspects of Intellectual Property Rights of the World Trade Organization.

(c) CONSULTATION.—The Secretary of State shall, as appropriate, consult with the Secretary of Health and Human Services in carrying out this section.

(d) CLARIFICATION.—The United States Trade Representative shall not approve any measure to waive provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights protecting intellectual property rights related to COVID-19 vaccines provided under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000,000 for fiscal year 2021, to remain available until September 30, 2024.

SA 1818. Mr. PORTMAN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. BRIEFING ON REPORT RELATED TO PROCESS FOR EXCLUDING ARTICLES IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA FROM CERTAIN DUTIES IMPOSED UNDER SECTION 301 OF THE TRADE ACT OF 1974.

Not later than 90 days after the publication by the Comptroller General of the United States of the report requested by Congress on July 16, 2019, for an audit into the process by which the United States Trade Representative has excluded articles imported from the People's Republic of China from certain duties imposed under section 301 of the Trade Act of 1974 (19 U.S.C. 2411), the Trade Representative, or a designee of the Trade Representative, shall brief the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the manner in which the Trade Representative is responding to the findings contained in that report.

SA 1819. Mr. PORTMAN (for himself, Mr. COONS, Mr. SCHATZ, Mr. WHITEHOUSE, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a

new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. REAUTHORIZATION OF TROPICAL FOREST AND CORAL REEF CONSERVATION ACT OF 1998.

Section 806(d) of the Tropical Forest and Coral Reef Conservation Act of 1998 (22 U.S.C. 2431d(d)) is amended by adding at the end the following new paragraphs:

''(9) $20,000,000 for fiscal year 2022.

''(10) $20,000,000 for fiscal year 2023.

''(11) $20,000,000 for fiscal year 2024.

''(12) $20,000,000 for fiscal year 2025.

''(13) $20,000,000 for fiscal year 2026.''.

SA 1820. Mr. MARSHALL (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5___. ESTABLISHMENT OF SELECT COMMITTEE ON THE OUTBREAK OF THE CORONAVIRUS IN CHINA.

(a) ESTABLISHMENT OF COMMITTEE.—There is established a select investigative committee of the Senate, to be known as the Select Committee on the Outbreak of the Coronavirus in China (referred to in this Act as the ''select committee''), to investigate the outbreak of the COVID–19 virus in or around Wuhan, China.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The select committee shall be composed of not more than 12 Senators, of whom 6 shall be appointed by the Majority Leader and 6 shall be appointed by the Minority Leader.

(2) CHAIRPERSON; VICE-CHAIRPERSON.—The Majority Leader shall designate 1 member of the select committee as the chairperson of the select committee, and the Minority Leader shall designate 1 member of the select committee as the vice-chairperson of the select committee.

(3) EXEMPTION.—For purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairperson of the select committee shall not be taken into account.

(4) VACANCIES.—Any vacancy in the select committee shall be filled in the same manner as the original appointment.

(c) INVESTIGATION AND REPORT.—

(1) INVESTIGATION.—The select committee shall conduct a full and complete investigation and study regarding—

(A) identification of the source of the COVID–19 virus and the route of human-to-human transmission beginning in or around Wuhan, China;

(B) secret research and gain-of-function zoonic research at the Wuhan Institute of Virology (referred to in this section as ''WIV'');

(C) training operations and safety standards at the WIV;

(D) cases of researchers at the WIV laboratory becoming sick or demonstrating COVID–19-like symptoms in 2019 or 2020;

(E) cables and other communications from 2017 to 2021 from employees of the Department of State, the Central Intelligence Agency, and the Department of Health and Human Services regarding activities and research at the WIV;

(F) response from officials of the Department of State and National Security Council in Washington, DC to the cables and other communications described in subparagraph (E);

(G) funding distributed to the WIV by the National Institute of Allergy and Infectious Diseases, the National Institutes of Health, and institutions of higher education of the United States;

(H) funding of gain-of-function research by the National Institutes of Health and the National Institute of Allergy and Infectious Diseases during the 2014–2017 moratorium on such research;

(I) research and possible leaks from the Wuhan Center for Disease Control;

(J) information regarding efforts by the Chinese Communist Party to silence journalists and doctors, destroy samples of the COVID–19 virus, and block United States and other foreign investigators, including investigations surrounding the Chinese Communist Party's misinformation campaign through social media, traditional news outlets, and other propaganda outlets;

(K) the origination of claims that the pandemic spread from a seafood market in Wuhan, China and the closure and sanitation of the market;

(L) actions taken by the World Health Organization, including actions taken by Director-General Dr. Tedros Adhanom Ghebreyesus and other World Health Organization officials, to spread Chinese misinformation and the failure of the World Health Organization to meet the Organization's charter to prevent the international spread of disease; and

(M) the impact of failing to shut down travel in and out of Wuhan, China, the Hubei province, and greater China.

(2) REPORTS.—The select committee—

(A) shall issue a final report to the Senate of its findings from the investigation and study described in paragraph (1) by not later than 1 year after the date of enactment of this Act; and

(B) may issue to the Senate such interim reports as the select committee determines necessary.

(d) AUTHORITIES AND POWERS.—

(1) IN GENERAL.—For the purposes of this section, the select committee is authorized in its discretion—

(A) to make investigations into any matter within its jurisdiction;

(B) to make expenditures from the contingent fund of the Senate;

(C) to employ personnel;

(D) to hold hearings;

(E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(G) to take depositions and other testimony;

(H) to procure the services of individual consultants, or organizations thereof, in accordance with section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(I) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) OATHS.—The chairperson of the select committee or any member thereof may administer oaths to witnesses.

(3) SUBPOENAS.—A subpoena authorized by the select committee—

(A) may be issued under the signature of the chairperson, the vice-chairperson, or any member of the select committee designated by the chairperson; and

(B) may be served by any person designated by the chairperson, the vice-chairperson, or other member signing the subpoena.

(4) COMMITTEE RULES.—The select committee shall adopt rules (not inconsistent with the rules of the Senate and in accordance with rule XXVI of the Standing Rules of the Senate) governing the procedure of the select committee, which shall include addressing how often the select committee shall meet, meeting times and location, type of notifications, notices of hearings, duration of the select committee, and records of the select committee after committee activities are complete.

(e) TERMINATION.—The select committee shall terminate on the day after the date the report required under subsection (c)(2)(A) is submitted.

(f) EXERCISE OF RULEMAKING POWER.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate, and as such it shall be part of the rules of the Senate and supersede other rules only to the extent that it is inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change the rules (insofar as they refer to the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

SA 1821. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, add the following:

SEC. 3219L. SPECIAL ENVOY FOR UNITED NATIONS INTEGRITY.

(a) ESTABLISHMENT.—There shall be a Special Envoy for United Nations Integrity, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall report to the Secretary of State.

(b) RANK.—The Special Envoy shall have the rank and status of ambassador.

(c) RESPONSIBILITIES.—The Special Envoy shall—

(1) focus on evaluating and countering malign activities in the United Nations system;

(2) coordinate interagency and multilateral response; and

(3) assist the Secretary of State in preparing the report required under section 3219M.

SEC. 3219M. REPORT ON ACTIONS BY CHINA TO SUBVERT THE PRINCIPLES AND PURPOSES OF THE UNITED NATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

the Secretary of State, in consultation with the Special Envoy for United Nations Integrity, shall submit to Congress a report on actions by the Government of the People's Republic of China and its subordinate agencies in the United Nations to subvert the principles and purposes of the United Nations.

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

(1) A description of China's actions violating United Nations treaties to which it is a party.

(2) A description of China's actions to influence the votes of United Nations members, including through coercive means.

(3) A description of China's actions to nominate or support candidates for United Nations leadership positions that do not adhere to United Nations standards for impartiality or are subject to the influence of the Government of the People's Republic of China.

(4) A description of actions by nationals of the People's Republic of China and others currently holding United Nations leadership positions that appear to support the interests of the Government of the People's Republic of China in violation of United Nations impartiality standards.

(5) A description of actions by nationals of the People's Republic of China serving in functional positions in United Nations organizations impacting hiring practices, internal policies, and other functions that appear to support the interests of the Government of the People's Republic of China in violation of United Nations impartiality standards.

(6) A description of actions by military and support personnel of the People's Republic of China engaged in United Nations peacekeeping operations that are inconsistent with the principles governing these missions, including China's deployment of these personnel to protect its economic interests and improve the power projection capabilities of the People's Liberation Army.

(7) A description of the number and positions of United States personnel employed by the United Nations and its agencies.

SA 1822. Mr. MERKLEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3302, add the following:

(c) TRANSITION RULE.—

(1) INTERIM REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the committees specified in section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 a report that identifies each foreign person, including any official of the Government of the People's Republic of China, that the President determines is responsible for serious human rights abuses in connection with forced labor using Uyghurs, ethnic Kazakhs, Kyrgyz, or members of other Muslim minority groups, or other persons in the Xinjiang Uyghur Autonomous Region.

(2) IMPOSITION OF SANCTIONS.—The President shall impose sanctions under subsection (c) of section 6 of the Uyghur Human Rights Policy Act of 2020 with respect to each foreign person identified in the report required by paragraph (1), subject to the provisions of subsections (d), (e), (f), and (g) of that section.

SA 1823. Mr. MERKLEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division E, add the following:

SEC. 5214. EXTENSION OF PROHIBITION ON COMMERCIAL EXPORT OF CERTAIN COVERED MUNITIONS ITEMS TO HONG KONG POLICE FORCE.

Section 3 of the Act entitled ''An Act to prohibit the commercial export of covered munitions and crime control items to the Hong Kong Police Force'', approved November 27, 2019 (Public Law 116–77; 133 Stat. 1173), as amended by section 1252 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''December 31, 2021'' and inserting ''the date on which the Secretary of State submits to Congress under section 205 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725) a certification that indicates that Hong Kong continues to warrant treatment under United States law in the same manner as United States laws were applied to Hong Kong before July 1, 1997''.

SA 1824. Mr. PADILLA (for himself and Mr. LUJAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE IV—DEVELOPMENT OF PROGRAM TO SUPPORT PARTNERSHIPS FOR HBCU/MSI/TCU-DESIGNATED INSTITUTIONS

SEC. 6401. FINDINGS.

(a) FINDINGS.—Congress finds the following:

(1) Strengthening the United States research enterprise is critical to our Nation's leadership in science and technology.

(2) Promoting diversity, equity, and inclusion in the federally funded research pipeline is essential to ensuring the development of scientific breakthroughs that benefit every person of the United States.

(3) Partnerships between institutions of higher education with the highest levels of research activity and institutions of higher education designated as historically Black colleges and universities, Tribal Colleges or Universities, or other minority-serving institutions that are committed to the recruitment, retention, and advancement of historically underrepresented populations benefit the United States at large.

(4) The STEM workforce drives forward the United States economy and our global competitiveness.

(5) Federal funding for initiatives that support the development of a diverse research workforce pipeline across institutions of higher education are in the best interest of the United States research enterprise.

(6) Congress believes that Federal science agencies should provide funding to foster collaboration between institutions of higher education to promote a more diverse, equitable, and inclusive research workforce and enterprise.

SEC. 6402. PURPOSE.

The purpose of this title is to provide funding to Federal science agencies for distribution to eligible partnerships that commit resources to collaboration and cooperation with institutions of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, Hispanic-serving institutions, or other minority-serving institutions, including—

(1) programs that help enroll alumni from institutions of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions in postgraduate programs leading to mater or doctoral degrees in STEM disciplines at partner institutions of higher education with the highest levels of research activity;

(2) summer research internship support grants at partner institutions of higher education with the highest levels of research activity;

(3) research projects that include students at institutions of higher education designated as historically Black colleges and universities, Tribal Colleges and Universities, or other minority-serving institutions, and at institutions of higher education with the highest levels of research activity;

(4) research projects that advance inclusion of students at institutions of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, within institutions with the highest levels of research activity; and

(5) competitive grant awards to enhance and expand pathways to the professoriate for underrepresented students.

SEC. 6403. DEFINITIONS.

In this title:

(1) ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.—The term ''Asian American and Native American Pacific Islander–serving institution'' has the meaning given the term in section 320(b) or 371(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b) and 1067q(c)(2)).

(2) ELIGIBLE PARTNERSHIP.—The term ''eligible partnership'' means a partnership that includes—

(A)(i) an institution with the highest levels of research activity; or

(ii) a Federal laboratory; and

(B) not less than 1 institution of higher education designated as a historically Black college or university, Tribal College or University, or other minority-serving institution.

(3) FEDERAL SCIENCE AGENCY.—The term ''Federal science agency'' means any Federal agency with at least $100,000,000 in basic and applied research obligations in fiscal year 2021.

(4) GRANTEE.—The term ''grantee'' means the legal entity to which a grant is awarded and that is accountable to the Federal Government for the use of the funds provided.

(5) INSTITUTION WITH THE HIGHEST LEVELS OF RESEARCH ACTIVITY.—The term ''institution with the highest levels of research activity'', means an institution of higher education that is classified as an R1 University, or successor designation, by the Carnegie Classification of Institutions of Higher Education.

(6) HISPANIC-SERVING INSTITUTION.—The term ''Hispanic-serving institution'' means an institution of higher education as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).

(7) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''historically Black college and university'' has the meaning given the term ''part B institution'' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(8) 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)).

(9) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means a historically Black college or university, predominantly Black institution, Hispanic-serving institution, Asian American and Native American Pacific Islander–Serving Institution, or Tribal College or University.

(10) PREDOMINANTLY BLACK INSTITUTION.—The term ''predominantly Black institution'' means—

(A) a Predominantly Black Institution, as defined in section 318(b) of the Higher Education Act of 1965 (20 U.S.C. 1059e(b)); or

(B) a Predominantly Black institution, as defined in section 371(c)(9) of such Act (20 U.S.C. 1067q(c)(9)).

(11) STEM.—The term ''STEM'' means science, technology, engineering, and mathematics, including computer science and biological and agricultural sciences.

(12) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

SEC. 6404. DEVELOPMENT OF PROGRAM TO SUPPORT PARTNERSHIPS FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, TRIBAL COLLEGES OR UNIVERSITIES, OR OTHER MINORITY-SERVING INSTITUTIONS.

(a) GRANT PROGRAM AUTHORIZED.—From amounts made available under section 6406, the head of each Federal science agency shall create a grant program to award grants to eligible partnerships in order to support the recruitment, retention, and advancement of underrepresented students in STEM fields and carry out the purpose described in subsection (b).

(b) PURPOSE OF PROGRAM.—Each eligible partnership supported by a grant under subsection (a) shall—

(1) enhance and expand pathways for underrepresented students at institutions of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, to enter graduate studies and academia in STEM fields;

(2) remove barriers to entry to the professoriate for such students; and

(3) provide funding to faculty at institutions of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions to work on the research projects along with their students.

(c) COLLABORATION REQUIREMENTS.—

(1) JOINT PROPOSAL.—An eligible partnership desiring a grant under a program described in subsection (a) shall submit a joint proposal representing all members of the eligible partnership to the applicable Federal science agency. The joint proposal shall include a description of the proposed activities to be carried out under the grant.

(2) COLLABORATION.—Each eligible partnership shall collaborate across institutions of higher education, including institutions of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, in order to develop and carry out the proposed grant activities.

(d) USE OF FUNDS.—The head of each Federal science agency shall require each grantee to direct not less than 50 percent of the total grant award received by the eligible partnership to the partner institutions of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, in order to carry out the activities supported under the grant.

(e) NONDUPLICATION.—An eligible partnership desiring a grant under a program described in subsection (a) shall not submit the same proposal to multiple Federal science agencies.

SEC. 6405. REPORTING.

By not later than 2 years after the date of enactment of this Act, the head of each Federal science agency shall require each eligible partnership receiving a grant under this title to conduct a longitudinal study and report—

(1) the number of undergraduate students participating in activities supported under this title who pursue STEM graduate studies and professions as a result of these partnerships; and

(2) information regarding the benefits provided to such students as a result of the activities.

SEC. 6406. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $100,000,000 for fiscal year 2022 and each succeeding fiscal year.

(b) REPORT.—Beginning in fiscal year 2022, the Director of the Office of Science and Technology Policy, and after consultation with the Secretary of Education on any relevant issue of concern, including at a minimum on the total numbers of qualifying eligible minority serving institutions within each category discussed herein annually, shall prepare and submit to Congress a suggested distribution of funding under this title among all qualifying Federal science agencies that in the first year of the program reflects equitable share as a basis for distribution and that reflects the input of the affected Federal science agencies regarding any allocation methodology to be used in subsequent years.

SA 1825. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, insert the following:

SEC. 3219L. FRAMEWORK FOR DISTRIBUTION OF COVID–19 VACCINES AROUND THE WORLD.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, and every 30 days thereafter until the date that is one year after such date of enactment, the COVID–19 Task Force shall submit to the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Health, Education, Labor, and Pensions of the Senate, and to the Committee Foreign Affairs, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives a report on the framework for the distribution around the world of COVID–19 vaccines produced in the United States.

(b) CONTENT.—The reports submitted under subsection (a) shall include—

(1) the number of vaccines distributed to COVAX;

(2) the amount of surplus supply of vaccines in the United States;

(3) a plan for how countries will be prioritized for the delivery of COVID–19 vaccines produced in the United States;

(4) a review of deployments of health and diplomatic personnel overseas, and

(5) a review of diplomatic outreach to engage donors during the report period.

SA 1826. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF STATE STUDENT INTERNSHIP PROGRAM.

(a) IN GENERAL.—The Secretary of State shall establish the Department of State Student Internship Program (referred to in this section as the ''Program'') to offer internship opportunities at the Department of State to eligible students to raise awareness of the essential role of diplomacy in the conduct of United States foreign policy and the realization of United States foreign policy objectives.

(b) ELIGIBILITY.—An applicant is eligible to participate in the Program if the applicant—

(1) is enrolled (not less than half-time) at—

(A) an institution of higher education (as defined section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

(B) an institution of higher education based outside of the United States, as determined by the Secretary of State;

(2) is able to receive and hold an appropriate security clearance; and

(3) satisfies such other criteria as the Secretary may establish pursuant to subsection (c).

(c) SELECTION.—The Secretary of State shall establish selection criteria for students to be admitted into the Program, including—

(1) a demonstrable interest in a career in foreign affairs;

(2) strong academic performance; and

(3) such other criteria as the Secretary may establish.

(d) OUTREACH.—The Secretary of State shall—

(1) widely advertise the Program, including on the internet, through—

(A) the Department of State's Diplomats in Residence Program; and

(B) other outreach and recruiting initiatives targeting undergraduate and graduate students; and

(C) actively encourage people belonging to traditionally under-represented groups in terms of racial, ethnic, geographic, and gender diversity, and disability status to apply to the Program, including by conducting targeted outreach at minority serving institutions (as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))).

(e) COMPENSATION.—

(1) IN GENERAL.—Students participating in the Program shall be paid not less than the greater of—

(A) the amount specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)); or

(B) the minimum wage of the jurisdiction in which the internship is located.

(2) HOUSING ASSISTANCE.—

(A) ABROAD.—The Secretary of State shall provide housing assistance to any student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is outside of the United States.

(B) DOMESTIC.—The Secretary of State is authorized to provide housing assistance to a student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is more than 50 miles away from such student's permanent address.

(3) TRAVEL ASSISTANCE.—The Secretary of State shall provide financial assistance to any student participating in the Program whose permanent address is within the United States that covers the round trip costs of traveling from the location of the internship in which such student is participating (including travel by air, train, bus, or other appropriate transit), if the location of such internship is—

(A) more than 50 miles from such student's permanent address; or

(B) outside of the United States.

(f) WORKING WITH INSTITUTIONS OF HIGHER EDUCATION.—The Secretary of State is authorized to enter into agreements with institutions of higher education to structure internships to ensure such internships satisfy criteria for academic programs in which participants in such internships are enrolled.

(g) TRANSITION PERIOD.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of State shall transition all unpaid internship programs of the Department of State, including the Foreign Service Internship Program, to internship programs that offer compensation. Upon selection as a candidate for entry into an internship program of the Department of State after such date, a participant in such internship program shall be afforded the opportunity to forgo compensation, including if doing so allows such participant to receive college or university curricular credit.

(2) EXCEPTION.—The transition required under paragraph (1) shall not apply in the case of unpaid internship programs of the Department of State that are part of the Virtual Student Federal Service Internship Program.

(3) WAIVER.—

(A) IN GENERAL.—The Secretary of State may waive the requirement under paragraph (1) to transition an unpaid internship program of the Department to an internship program that offers compensation if the Secretary determines and, not later than 30 days after any such determination, submits a report to the appropriate congressional committees that explains why such transition would not be consistent with effective management goals.

(B) REPORT.—The report required under subparagraph (A) shall describe the reason why transitioning an unpaid internship program of the Department of State to an internship program that offers compensation would not be consistent with effective management goals, including any justification for maintaining such unpaid status indefinitely, or any additional authorities or resources necessary to transition such unpaid program to offer compensation in the future.

(h) REPORTS.—Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that includes—

(1) data, to the extent collection of such information is permissible by law, regarding the number of students (disaggregated by race, ethnicity, gender, institution of higher learning, home State, State where each student graduated from high school, and disability status) who applied to the Program, were offered a position, and participated;

(2) data regarding—

(A) the number of security clearance investigations started for such students; and

(B) the timeline for such investigations, including—

(i) whether such investigations were completed; and

(ii) when an interim security clearance was granted;

(3) information on Program expenditures; and

(4) information regarding the Department of State's compliance with subsection (g).

(i) DATA COLLECTION POLICIES.—

(1) VOLUNTARY PARTICIPATION.—Nothing in this section may be construed to compel any student who is a participant in an internship program of the Department of State to participate in the collection of the data or divulge any personal information. Such students shall be informed that their participation in the data collection contemplated by this section is voluntary.

(2) PRIVACY PROTECTION.—Any data collected under this section shall be subject to the relevant privacy protection statutes and regulations applicable to Federal employees.

(j) SPECIAL HIRING AUTHORITY.—The Department of State may—

(1) offer compensated internships that last up to 52 weeks; and

(2) select, appoint, employ, and remove individuals in such compensated internships without regard to the provisions of law governing appointments in the competitive service.

SA 1827. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle A of title I of division D, add the following:

SEC. 4128. SECURING UNITED STATES SUPPLY CHAINS OF STRATEGIC METALS AND MINERALS.

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

(1) Underpinned by huge demand from the battery sector, competition for control over global cobalt feedstock supply chains has intensified in recent years. The People's Republic of China's increasing control over cobalt (and other mineral) resources in the Democratic Republic of the Congo (in this section referred to as the ''DRC'') could pose a threat to United States entities seeking to secure supply chains for these minerals. The DRC hosts more than 51 percent of the global cobalt reserves and produces nearly 70 percent of the total cobalt feedstock globally.

(2) In early January 2021, the Government of the People's Republic of China announced it would cancel an estimated $28,000,000 of loans to the DRC, repayment of which were due by the end of 2020, and provide $17,000,000 in other financial support to help the DRC overcome the crisis caused by the COVID–19 pandemic. During a visit to the DRC, Chinese Foreign Minister Wang Yi signed an memorandum of understanding with the DRC on cooperation under the Belt and Road Initiative, with the DRC now becoming the People's Republic of China's 45th partner under that Initiative in Africa. Prior to the announcement, Chinese entities already controlled more than 40 percent of the cobalt mining capacity in the DRC as a result of decades-long investment and development in the DRC, with several resource-for-infrastructure deals having been signed and implemented since the 1990s.

(3) The People's Republic of China is also the world's leading importer of copper, iron ore, chromium, manganese, tantalum, niobium, platinum-group metals, and lithium. Long-term contracts have been established for some imports, but for others, Chinese entities have made equity investments or entered joint ventures in order to secure needed resources.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) the current United States mineral policy of promoting an adequate, stable, and reliable supply of materials for United States national security, economic well-being, and industrial production is inadequate to ensure that United States entities have a secure supply chain for certain strategic metals and minerals;

(2) United States mineral policy emphasizes developing domestic supplies of critical materials and encourages the private sector in the United States to produce and process those materials, but some raw materials do not exist in economic quantities in the United States, and processing, manufacturing, and other downstream ventures in the United States may not be cost competitive with facilities in other regions of the world;

(3) to counter Chinese dominance in the market for those minerals, the United States Government should—

(A) support more responsible trade missions and United States commercial delegations to mineral-producing countries and assist smaller and less-developed countries to improve the transparency of their minerals trade, including strong support for implementation of the Extractive Industries Transparency Initiative, beneficial ownership transparency, and the formalization of the artisanal mining sector;

(B) the Department of Commerce should work with the Department of the Treasury and the Department of State to leverage resources to investigate networks of corrupt Chinese practices in the DRC and elsewhere and coordinate with the Department of

Labor and U.S. Customs and Border Protection to ensure that minerals supply chains do not include products benefitting from forced and child labor;

(C) the Department of Commerce, in cooperation with other United States Government agencies, should facilitate accessible de-risking for United States entities seeking to invest in countries such as the DRC; and

(D) the Department of State, in cooperation with other United States Government agencies, should provide to Congress an annual report on corruption in the cobalt sector in the DRC.

(c) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to promote an adequate, stable, transparent, and reliable supply of materials for United States national security, economic well-being, and industrial production, including by developing international supply chain options that do not rely primarily or exclusively on the domestic private sector or corrupt sources abroad to produce and process those materials;

(2) to counter Chinese dominance in the production of certain metals and minerals, including cobalt, by facilitating the competitiveness of United States entities to work in markets currently dominated by the People's Republic of China; and

(3) to promote a responsible minerals supply chain that counters corruption by the People's Republic of China and all actors and, to that end, the Department of the Treasury should focus on tools, including network sanctions, anti-money laundering measures, and other actions to counter kleptocratic and illicit actors in global mineral supply chains.

SA 1828. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SUSTAINABLE AVIATION FUEL GRANT PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall carry out a competitive grant and cost-sharing agreement program for eligible entities to carry out projects located in the United States to produce, transport, blend, or store sustainable aviation fuel.

(b) SELECTION.—In selecting an eligible entity to receive a grant or cost-share agreement under subsection (a), the Secretary shall consider—

(1) the anticipated public benefits of a project proposed by the eligible entity;

(2) the potential to increase the domestic production and deployment of sustainable aviation fuel;

(3) the potential greenhouse gas emissions from such project;

(4) the potential for creating new jobs in the United States;

(5) the potential net greenhouse gas emissions impact of different feedstocks to produce sustainable aviation fuel on a lifecycle basis, which shall include potential direct and indirect greenhouse gas emissions (including resulting from changes in land use); and

(6) the proposed utilization of non-Federal contributions by the eligible entity.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $200,000,000 for each of fiscal years 2022 through 2026 to carry out this section.

(d) REPORT.—Not later than October 1, 2027, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report describing the results of the grant program under this section. The report shall include the following:

(1) A description of the entities and projects that received grants or other cost-sharing agreements under this section.

(2) A detailed explanation for why each entity received the type of funding disbursement such entity did.

(3) A description of whether the program is leading to an increase in the production and deployment of sustainable aviation fuels.

(4) A description of the economic impacts resulting from the funding to and operation of the project.

(e) DEFINITIONS.—In this section:

(1) CONVENTIONAL JET FUEL.—The term ''conventional jet fuel'' means liquid hydrocarbon fuel used for aviation that is derived or refined from petrochemicals.

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

(A) a State or local government other than an airport sponsor;

(B) an air carrier;

(C) an airport sponsor; and

(D) a person or entity engaged in the production, transportation, blending or storage of sustainable aviation fuel in the United States or feedstocks in the United States that could be used to produce sustainable aviation fuel.

(3) INDUCED LAND-USE CHANGE EMISSIONS.—The term ''induced land-use change emissions'' means the greenhouse gas emissions resulting from the conversion of land to the production of feedstocks and from the conversion of other land due to the displacement of crops or animals for which the original land was previously used, as calculated using appropriate modeling techniques approved by a regulating authority.

(4) LIFECYCLE GREENHOUSE GAS EMISSIONS.—The term ''lifecycle greenhouse gas emissions'' means the combined greenhouse gas emissions from feedstock production, collection of feedstock, transportation of feedstock to fuel production facilities, conversion of feedstock to fuel, transportation and distribution of fuel, and fuel combustion in an aircraft engine, as well as from induced land-use change emissions, as calculated using appropriate modeling techniques approved by a regulating authority.

(5) QUALIFIED FEEDSTOCK.—The term ''qualified feedstock'' means sources of hydrogen and carbon not originating from unrefined or refined petrochemicals.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(7) SUSTAINABLE AVIATION FUEL.—The term ''sustainable aviation fuel'' means liquid fuel consisting of synthesized hydrocarbons that—

(A) meets the requirements of a Department of Defense specification for military jet fuel or an American Society of Testing and Materials specification for aviation turbine fuel;

(B) is derived from qualified feedstock;

(C) is certified by the Environmental Protection Agency Administrator that such fuel—

(i) either—

(I) conforms to the standards, recommended practices, requirements and criteria, supporting documents, implementation elements, and any other technical guidance for sustainable aviation fuels that are adopted by the International Civil Aviation Organization with the agreement of the United States; or

(II) meets the definition of ''advanced biofuel'' under section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)), as demonstrated by compliance with Environmental Protection Agency implementing regulations under subpart M of part 80 of title 40, Code of Federal Regulations; and

(ii) achieves at least a 50-percent reduction in lifecycle greenhouse gas emissions compared to conventional jet fuel.

SA 1829. Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2306(c)(2) insert ''based on their technical merit and market relevance and pursuant to policies adopted through impartial processes that treat all members and technical contributions fairly and impartially,'' after ''for digital economy technologies,''.

SA 1830. Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2505(f)(1)(F), strike ''education; and'' in clause (xi) and all that follows through ''(xii) identifying'' in clause (xii) and insert the following: ''education;

(xii) in collaboration with the Manufacturing USA Network and the Hollings Manufacturing Extension Partnership, studying mechanisms by which the Federal Government can identify, maintain contact with, and call on industry experts for the purpose of assisting the Secretary in collaborating with industry partners and Federal agencies to mitigate scarcities of supplies that are critical to the crisis preparedness of the United States; and

(xiii) identifying

SA 1831. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and

Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CYBERSECURITY AND INFRASTRUCTURE SECURITY APPRENTICESHIP PROGRAM.

(a) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act (6 U.S.C. 651 et seq.), as amended by section 2, is amended by adding at the end the following:

"SEC. 2219. APPRENTICESHIP PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term 'area career and technical education school' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

''(2) COMMUNITY COLLEGE.—The term 'community college' means a public institution of higher education at which the highest degree that is predominantly awarded to students is an associate's degree, including—

''(A) a 2-year Tribal College or and University, as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c); and

''(B) a public 2-year State institution of higher education.

''(3) CYBERSECURITY WORK ROLES.—The term 'cybersecurity work roles' means the work roles outlined in the National Initiative for Cybersecurity Education Cybersecurity Workforce Framework (NIST Special Publication 800–181), or any successor framework.

''(4) EDUCATION AND TRAINING PROVIDER.—The term 'education and training provider' means—

''(A) an area career and technical education school;

''(B) an early college high school;

''(C) an educational service agency;

''(D) a high school;

''(E) a local educational agency or State educational agency;

''(F) a Tribal educational agency, Tribally controlled college or university, or Tribally controlled postsecondary career and technical institution;

''(G) a postsecondary educational institution;

''(H) a minority-serving institution;

''(I) a provider of adult education and literacy activities under the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.);

''(J) a local agency administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741);

''(K) a related instruction provider, including a qualified intermediary acting as a related instruction provider as approved by a registration agency;

''(L) a Job Corps center, as defined in section 142 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3192); or

''(M) a consortium of entities described in any of subparagraphs (A) through (L).

''(5) ELIGIBLE ENTITY.—

''(A) IN GENERAL.—The term 'eligible entity' means—

''(i) a program sponsor;

''(ii) a State workforce development board or State workforce agency, or a local workforce development board or local workforce development agency;

''(iii) an education and training provider;

''(iv) if the applicant is in a State with a State apprenticeship agency, such State apprenticeship agency;

''(v) an Indian Tribe or Tribal organization;

''(vi) an industry or sector partnership, a group of employers, a trade association, or a professional association that sponsors or participates in a program under the national apprenticeship system;

''(vii) a Governor of a State;

''(viii) a labor organization or joint labor-management organization; or

''(ix) a qualified intermediary.

''(B) SPONSOR REQUIREMENT.—Not fewer than 1 entity described in subparagraph (A) shall be the sponsor of a program under the national apprenticeship system.

''(6) 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).

''(7) LOCAL EDUCATIONAL AGENCY; SECONDARY SCHOOL.—The terms 'local educational agency' and 'secondary school' have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(8) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term 'local workforce development board' has the meaning given the term 'local board' in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(9) NONPROFIT ORGANIZATION.—The term 'nonprofit organization' means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

''(10) PROVIDER OF ADULT EDUCATION.—The term 'provider of adult education' has the meaning given the term 'eligible provider' in section 203 of the Adult Education and Family Literacy Act (29 U.S.C. 3272).

''(11) RELATED INSTRUCTION.—The term 'related instruction' means an organized and systematic form of instruction designed to provide an individual in an apprenticeship program with the knowledge of the technical subjects related to the intended occupation of the individual after completion of the program.

''(12) SPONSOR.—The term 'sponsor' means any person, association, committee, or organization operating an apprenticeship program and in whose name the program is, or is to be, registered or approved.

''(13) STATE APPRENTICESHIP AGENCY.—The term 'State apprenticeship agency' has the meaning given the term in section 29.2 of title 29, Code of Federal Regulations, or any corresponding similar regulation or ruling.

''(14) STATE WORKFORCE DEVELOPMENT BOARD.—The term 'State workforce development board' has the meaning given the term 'State board' in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(15) WIOA TERMS.—The terms 'career planning', 'community-based organization', 'economic development agency', 'industry or sector partnership', 'on-the-job training', 'recognized postsecondary credential', and 'workplace learning advisor' have the meanings given those terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(16) QUALIFIED INTERMEDIARY.—

''(A) IN GENERAL.—The term 'qualified intermediary' means an entity that demonstrates expertise in building, connecting, sustaining, and measuring the performance of partnerships described in subparagraph (B) and serves program participants and employers by—

''(i) connecting employers to programs under the national apprenticeship system;

''(ii) assisting in the design and implementation of such programs, including curriculum development and delivery for related instruction;

''(iii) supporting entities, sponsors, or program administrators in meeting the registration and reporting requirements of this Act;

''(iv) providing professional development activities such as training to mentors;

''(v) supporting the recruitment, retention, and completion of potential program participants, including nontraditional apprenticeship populations and individuals with barriers to employment;

''(vi) developing and providing personalized program participant supports, including by partnering with organizations to provide access to or referrals for supportive services and financial advising;

''(vii) providing services, resources, and supports for development, delivery, expansion, or improvement of programs under the national apprenticeship system; or

''(viii) serving as a program sponsor.

''(B) PARTNERSHIPS.—The term 'partnerships described in subparagraph (B)' means partnerships among entities involved in, or applying to participate in, programs under the national apprenticeship system, including—

''(i) industry or sector partnerships;

''(ii) partnerships among employers, joint labor-management organizations, labor organizations, community-based organizations, industry associations, State or local workforce development boards, education and training providers, social service organizations, economic development organizations, Indian Tribes or Tribal organizations, one-stop operators, one-stop partners, or veterans service organizations in the State workforce development system; or

''(iii) partnerships among 1 or more of the entities described in clauses (i) and (ii).

''(b) ESTABLISHMENT OF APPRENTICESHIP PROGRAMS.—Not later than 2 years after the date of enactment of this section, the Director may establish 1 or more apprenticeship programs as described in subsection (c).

''(c) APPRENTICESHIP PROGRAMS DESCRIBED.—An apprenticeship program described in this subsection is an apprenticeship program that—

''(1) leads directly to employment in—

''(A) a cybersecurity work role with the Agency; or

''(B) a position with a company or other entity provided that the position is—

''(i) certified by the Director as contributing to the national cybersecurity of the United States; and

''(ii) funded at least in majority part through a contract, grant, or cooperative agreement with the Agency;

''(2) is focused on competencies and related learning necessary, as determined by the Director, to meet the immediate and ongoing needs of cybersecurity work roles at the Agency; and

''(3) is registered with and approved by the Office of Apprenticeship of the Department of Labor or a State apprenticeship agency pursuant to the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 29 U.S.C. 50 et seq.).

''(d) COORDINATION.—In the development of an apprenticeships program under this section, the Director shall consult with the Secretary of Labor, the Director of the National Institute of Standards and Technology, the Secretary of Defense, the Director of the National Science Foundation, and the Director

of the Office of Personnel Management to leverage existing resources, research, communities of practice, and frameworks for developing cybersecurity apprenticeship programs.

''(e) OPTIONAL USE OF GRANTS OR COOPERATIVE AGREEMENTS.—An apprenticeship program under this section may include entering into a contract or cooperative agreement with or making a grant to an eligible entity if determined appropriate by the Director based on the eligible entity—

''(1) demonstrating experience in implementing and providing career planning and career pathways toward apprenticeship programs;

''(2) having knowledge of cybersecurity workforce development;

''(3) being eligible to enter into a contract or cooperative agreement with or receive grant funds from the Agency as described in this section;

''(4) providing students who complete the apprenticeship program with a recognized postsecondary credential;

''(5) using related instruction that is specifically aligned with the needs of the Agency and utilizes workplace learning advisors and on-the-job training to the greatest extent possible; and

''(6) demonstrating successful outcomes connecting graduates of the apprenticeship program to careers relevant to the program.

''(f) APPLICATIONS.—If the Director enters into an arrangement as described in subsection (e), an eligible entity seeking a contract, cooperative agreement, or grant under the program shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

''(g) PRIORITY.—In selecting eligible entities to receive a contract, grant, or cooperative agreement under this section, the Director may prioritize an eligible entity that—

''(1) is a member of an industry or sector partnership;

''(2) provides related instruction for an apprenticeship program through—

''(A) a local educational agency, a secondary school, a provider of adult education, an area career and technical education school, or an institution of higher education; or

''(B) an apprenticeship program that was registered with the Department of Labor or a State apprenticeship agency before the date on which the eligible entity applies for the grant under subsection (g);

''(3) works with the Secretary of Defense, the Secretary of Veterans Affairs, or veterans organizations to transition members of the Armed Forces and veterans to apprenticeship programs in a relevant sector; or

''(4) plans to use the grant to carry out the apprenticeship program with an entity that receives State funding or is operated by a State agency.

''(h) TECHNICAL ASSISTANCE.—The Director shall provide technical assistance to eligible entities to leverage the existing job training and education programs of the Agency and other relevant programs at appropriate Federal agencies.

''(i) EXCEPTED SERVICE.—Participants in the program may be entered into cybersecurity-specific excepted service positions as determined appropriate by the Director and authorized by section 2208.

''(j) REPORT.—

''(1) IN GENERAL.—Not less than once every 2 years after the establishment of an apprenticeship program under this section, the Director shall submit to Congress a report on the program, including—

''(A) a description of—

''(i) any activity carried out by the Agency under this section;

''(ii) any entity that enters into a contract or agreement with or receives a grant from the Agency under subsection (e);

''(iii) any activity carried out using a contract, agreement, or grant under this section as described in subsection (e); and

''(iv) best practices used to leverage the investment of the Federal Government under this section; and

''(B) an assessment of the results achieved by the program, including the rate of continued employment at the Agency for participants after completing an apprenticeship program carried out under this section.

''(k) PERFORMANCE REPORTS.—Not later than 1 year after the establishment of an apprenticeship program under this section, and annually thereafter, the Director shall submit to Congress and the Secretary of Labor a report on the effectiveness of the program based on the accountability measures described in clauses (i) and (ii) of section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)).

''(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Agency such sums as necessary to carry out this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2218, as added by section 2, the following:

''Sec. 2219. Apprenticeship program.''.

SEC. ___. PILOT PROGRAM ON CYBERSECURITY TRAINING FOR VETERANS AND MEMBERS OF THE ARMED FORCES TRANSITIONING TO CIVILIAN LIFE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program under which the Secretary shall provide cybersecurity-specific training for eligible individuals.

(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, an ''eligible individual'' is an individual who is—

(1) a member of the Armed Forces transitioning from service in the Armed Forces to civilian life; or

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

(c) ELEMENTS.—The pilot program required by subsection (a) shall incorporate—

(1) virtual platforms for coursework and training;

(2) work-based learning opportunities and programs; and

(3) the provision of portable credentials to eligible individuals who graduate from the pilot program.

(d) ALIGNMENT WITH NICE CYBERSECURITY WORKFORCE FRAMEWORK.—The pilot program required by subsection (a) shall align with the taxonomy, knowledge, skills, abilities, and tasks from the National Initiative for Cybersecurity Education Cybersecurity Workforce Framework (NIST Special Publication 800–181), or any successor framework.

(e) COORDINATION.—In developing the pilot program required by subsection (a), the Secretary of Veterans Affairs shall coordinate with the Director of the National Institute of Standards and Technology, the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Labor, and the Director of the Office of Personnel Management to leverage platforms and frameworks of the Federal Government for providing cybersecurity education and training to prevent duplication of efforts.

(f) RESOURCES.—

(1) IN GENERAL.—In any case in which the pilot program required by subsection (a) uses a program of the Department of Veterans Affairs or platforms and frameworks described in subsection (e), the Secretary of Veterans Affairs shall take such actions as may be necessary to ensure that those programs, platforms, and frameworks are expanded and resourced to accommodate increased usage from eligible individuals participating in the pilot program.

(2) ACTIONS.—Actions described in paragraph (1) may include providing additional funding, staff, or other resources to—

(A) provide administrative support for basic functions of the pilot program;

(B) ensure the success and ongoing engagement of eligible individuals participating in the pilot program; and

(C) connect graduates of the pilot program to job opportunities within the Federal Government.

(g) DEFINITIONS.—In this section:

(1) PORTABLE CREDENTIAL.—

(A) IN GENERAL.—The term ''portable credential'' means a documented award by a responsible and authorized entity that has determined that an individual has achieved specific learning outcomes relative to a given standard.

(B) INCLUSIONS.—The term ''portable credential'' includes a degree, diploma, license, certificate, badge, and professional or industry certification that—

(i) has value locally and nationally in labor markets, educational systems, or other contexts;

(ii) is defined publicly in such a way that allows educators, employers, and other individuals and entities to understand and verify the full set of competencies represented by the credential; and

(iii) enables a holder of the credential to move vertically and horizontally within and across training and education systems for the attainment of other credentials.

(2) WORK-BASED LEARNING.—The term ''work-based learning'' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

SA 1832. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. INVESTIGATIONS BY NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER OF PERSONAL PROTECTIVE EQUIPMENT, MEDICINE, AND OTHER PUBLIC HEALTH MATTERS.

Section 305 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4344) is amended—

(1) in subsection (b)(1), by inserting after ''sources of merchandise'' the following: ''(including personal protective equipment, medicine, and other public health goods, treatments, and supplies)''; and

(2) by adding at the end the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the National Intellectual Property Rights Coordination Center $20,000,000 for each of fiscal years 2022 through 2027 for the salaries and expenses of permanent full-time employees dedicated to supporting investigations under subsection (b).''.

SA 1833. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. DUTIES OF INTERAGENCY CENTER ON TRADE IMPLEMENTATION, MONITORING, AND ENFORCEMENT.

Section 141(h)(2) of the Trade Act of 1974 (19 U.S.C. 2171(h)(2)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following:

''(C) investigating practices of countries that are major trading partners of the United States in order to identify and address violations of trade agreements and other practices that have systemic, diffuse impacts on the economy and workers of the United States or systemic impacts on the resiliency of multiple critical domestic supply chains;''.

SA 1834. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(a) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

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

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

(3) the Committee on Foreign Relations of the Senate;

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

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

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

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

(8) the Committee on Foreign Affairs of the House of Representatives;

(9) the Committee on Energy and Commerce of the House of Representatives; and

(10) the Permanent Select Committee on Intelligence of the House of Representatives.

(b) REQUIREMENT TO SUBMIT REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Secretary of Defense, the Secretary of State, the Secretary of Transportation, and the Secretary of Commerce, shall submit to the appropriate congressional committees a classified report, which may include an unclassified summary, that assesses the viability of a national supply chain intelligence center to consolidate and coordinate Federal supply chain intelligence efforts and coordinate with industry stakeholders.

(c) ELEMENTS OF THE REPORT.—The report submitted under subsection (b) shall—

(1) identify existing supply chain intelligence efforts and capabilities, including those focused on foreign investment risks, across the Federal Government;

(2) identify existing supply chain intelligence efforts and capabilities in the private sector, including efforts by information sharing and analysis centers, information sharing and analysis organizations, systemic analysis and research centers, and cybersecurity intelligence firms;

(3) identify continuing gaps between, and opportunities for, greater integration of national supply chain intelligence efforts among—

(A) Federal agencies;

(B) State, local, Tribal, and territorial entities; and

(C) the private sector in its role of securing critical supply chains;

(4) identify any gaps in intelligence support to the Department of Commerce and recommend options to provide any necessary and appropriate support, such as by adding appropriate offices within the Department of Commerce to the definition of the term ''intelligence community'' in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) and expanding hiring authorities of the Department of Commerce in a manner comparable to that of other elements of the intelligence community;

(5) assess areas where existing Federal supply chain intelligence centers, or portions of a center's mission, such as those examining foreign investment risks, would benefit from greater integration or collocation to support cross-governmental collaboration and collaboration with critical infrastructure operators;

(6) identify facility needs for a national supply chain intelligence center to adequately host personnel, maintain sensitive compartmented information facilities, and other resources to fulfill its mission as the primary center for supply chain intelligence in the Federal Government and the integrator of public-private efforts to create, analyze, and disseminate supply chain intelligence products;

(7) assess the resources, funding, and personnel required for a national supply chain intelligence center to fulfill its mission as the primary center for supply chain intelligence in the Federal Government and an integrator of public-private efforts to create, analyze, and disseminate supply chain intelligence products;

(8) assess continuing gaps and limitations in the ability of the Office of the Director of National Intelligence to provide for greater centralization of Federal Government supply chain intelligence efforts, including whether to create national intelligence officer and national intelligence manager positions for national supply chain security;

(9) assess continuing limitations or hurdles in the security clearance program for private sector partners and in integrating private sector partners into a national supply chain intelligence center;

(10) assess continuing limitations or hurdles in downgrading intelligence from a higher to lower level of classification, or creating tear lines for private sector partners; and

(11) recommend procedures and criteria for increasing and expanding the participation and integration of public- and private-sector personnel into Federal Government supply chain intelligence efforts.

(d) PLAN.—Upon submitting the report under subsection (b), the Director of National Intelligence, in coordination with the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Defense, the Secretary of State, the Secretary of Transportation, and the Secretary of Commerce, may submit to the appropriate congressional committees a classified plan, which may include an unclassified summary, to establish a national supply chain intelligence center, if appropriate, or to implement other mechanisms for improving supply chain intelligence coordination and sharing among Federal departments and agencies and to provide direct supply chain intelligence support to the private sector.

SA 1835. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, add the following:

SECTION 3219L. ACTION PLAN AND REPORT ON OUTCOMES OF THE WORLD HEALTH ASSEMBLY.

(a) FINDINGS.—Congress finds that the Department of Health and Human Services—

(1) represents the United States at the World Health Assembly each year; and

(2) assists with diplomatic efforts in global health throughout the year.

(b) DEFINITIONS.—In this section:

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

(A) the Committee on Foreign Relations of the Senate;

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

(C) the Committee on Health, Education, Labor, and Pensions of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

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

(F) the Committee on Energy and Commerce of the House of Representatives.

(2) WHA.—The term ''WHA'' means the World Health Assembly.

(c) ACTION PLAN.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, shall provide to the appropriate committees of Congress an action plan that includes—

(1) a plan for future diplomatic, surveillance, and interagency efforts during the COVID–19 pandemic by the Office of Global Affairs in reflection of the SARS–CoV–2 virus and its work with international institutions, including the World Health Organization and its member states;

(2) the identification of techniques the Office of Global Affairs has employed that would address future pandemics or other global health emergencies;

(3) a retrospective analysis of diplomatic efforts to engage with the People's Republic

of China regarding the SARS–CoV–2 virus, both bilaterally and through international institutions; and

(4) how the lessons learned from the analysis described in paragraph (3) could be applied to future scenarios to address future pandemics or other global health emergencies.

(d) REPORT.—Not later than 180 days after the closing session of each annual WHA, the Secretary of Health and Human Services, in consultation with the Director of National Intelligence, the Secretary of State, and the heads of other relevant executive departments, shall submit a report to the appropriate committees of Congress that includes—

(1) a list of all WHA working groups and their members, including all of the proposals put forth by these working groups to the WHA;

(2) an explanation of the United States' strategy at the WHA, including—

(A) a summary of actions taken by United States officials and diplomats to advance a strategy related to the Peoples Republic of China and the SARS–CoV–2 virus;

(B) a detailed account of the actions by the People's Republic of China and other nations of interest, as designated by the Secretary of State, to impede the United States' strategy at the WHA; and

(C) the effect of the actions referred to in subparagraph (B) on the outcome of any votes by the WHA; and

(3) an overview of any outbreaks of infectious diseases with pandemic potential, including—

(A) detailed descriptions of any Public Health Emergencies of International Concern; and

(B) the steps taken by the World Health Organization and national health entities to combat such public health emergencies.

(e) FORM.—The report required under subsection (d) shall be submitted in unclassified form, but may include a classified annex.

SA 1836. Ms. HASSAN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. ANNUAL REPORT ON EXPORT RESTRICTIONS OF CERTAIN COUNTRIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2026, the Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Director of National Intelligence, and the heads of such other Federal agencies as the Secretary of State determines appropriate, shall submit to the appropriate committees of Congress a report on the status of export restrictions implemented by covered nations, including any changes made to those export restrictions during the one-year period preceding the date of submission of the report.

(b) INCLUSION OF DESCRIPTION OF CERTAIN ACTIONS.—To the extent practical, the Secretary of State shall include in each report submitted under subsection (a) a description of any action taken by a covered nation with respect to the export restrictions implemented by that nation that can reasonably be considered a response to an action taken by the United States Government.

(c) FORM.—Each report submitted under subsection (a) shall be submitted in an unclassified form that can be made available to the public, but may include a classified annex if necessary.

(d) DEFINITIONS.—In this section:

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

(A) the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Oversight and Reform, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED NATION.—The term ''covered nation'' means a country listed as Country Group D or Country Group E in Supplement 1 to Part 740 of the Export Administration Regulations, or successor similar regulations.

(3) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

SA 1837. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 88, strike lines 4 through 12, and insert the following:

(i) a historically Black college or university which is a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(ii) a Hispanic-serving institution (as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a));

(iii) a Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c));

(iv) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)));

(v) a Predominantly Black Institution (as defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c));

(vi) an Asian American and Native American Pacific Islander-serving institution (as defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c))); or

(vii) a Native American-serving nontribal institution (as defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c))); and

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SA 1838. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division F, insert the following:

SEC. 63___. PROHIBITION ON SHARING OF INFORMATION RELATING TO THE MANUFACTURE OF VACCINES.

(a) IN GENERAL.—No manufacturer of a vaccine, including any vaccine related to the SARS–CoV–2 virus, that was developed in whole or in part with the support of Federal funds may enter into an agreement to share or provide any intellectual property, procedure, machinery, or material for the manufacture of such vaccine with an entity in a foreign country unless the President of the United States certifies that—

(1) the foreign country is a signatory to, and in full compliance with, the Biological Weapons Convention; and

(2) the entity in a foreign country that would be a recipient of such intellectual property, procedure, machinery, or material for the manufacture of a vaccine fully complies with the requirements of the Food and Drug Administration or equivalent requirements and procedures for determining the safety and efficacy of vaccines.

(b) BIOLOGICAL WEAPONS CONVENTION.—In this section, the term ''Biological Weapons Convention'' means the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow, April 10, 1972.

SA 1839. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 5212.

SA 1840. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, add the following:

SEC. 3219L. SENSE OF CONGRESS ON NEED FOR REFORMS TO RULES OF THE WORLD TRADE ORGANIZATION.

It is the sense of Congress that—

(1) although the United States finds value and usefulness in the World Trade Organization in fulfilling the needs of the United States and other free and open economies in the 21st century, significant reforms at the World Trade Organization are needed; and

(2) the United States must continue to demonstrate leadership to achieve reforms that restore the effectiveness of the rules of the World Trade Organization for special and differential treatment to ensure those rules promote advancement for truly developing countries, rather than becoming tools for globally competitive countries such as the People's Republic of China to be designated as developing countries to engage in protectionism and market distortions.

SA 1841. Mrs. HYDE-SMITH submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 25___. INFORMATION ON MISLEADING AND INELIGIBLE READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food Safety and Inspection Service shall inform the Commissioner of U.S. Customs and Border Protection, the Commissioner of Food and Drugs, and, to the maximum extent practicable, all applicable private establishments (such as importers, distributors, retail and wholesale facilities, and trade associations) of, with respect to all fish of the order Siluriformes—

(1) the prohibitions under section 10(c) of the Federal Meat Inspection Act (21 U.S.C. 610(c)); and

(2) the requirements under section 557.2 of title 9, Code of Federal Regulations.

SA 1842. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 3142. COMPREHENSIVE ANALYSIS OF CHINESE PROPAGANDA EFFORTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate committees of Congress a report on Chinese propaganda efforts around the world.

(b) ELEMENTS.—The report shall include, for each country in which Chinese propaganda occurs—

(1) a description of all Chinese propaganda efforts in the country, including any propaganda directed against the United States, allies and partners, and Taiwan;

(2) an analysis of the impact of the propaganda; and

(3) a description of any United States efforts to counteract the Chinese propaganda with accurate information and an evaluation of the effectiveness of United States efforts.

(c) FORM.—The report required under subsection (a) shall be submitted in classified form with an unclassified summary.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SA 1843. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 28(f)(6) of the Stevenson-Wydler Technology Innovation Act of 1980, as added by section 2401, insert at the end the following: ''The deployment of any site connectivity infrastructure related to broadband shall not be granted if the area receives Federal funds under another Federal program related to broadband infrastructure or equipment, including the Rural Utilities Service of the Department of Agriculture or the Universal Service Fund of the Federal Communications Commission.''.

SA 1844. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Section 2210 is amended by adding at the end the following:

(h) NONDUPLICATION.—The Director shall not carry out any activity under this section until the Director certifies that the activities to be carried out under this section will not duplicate activities carried out under other Federal programs (other than programs carried out under this Act).

SA 1845. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2401.

SA 1846. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2508, strike subsection (o) and insert the following:

(o) FUNDING.—The Chief Manufacturing Officer is authorized to use only existing funds (available to the Executive Office of the President on the date of enactment of this Act) to carry out this section.

SA 1847. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REGULATORY OVERSIGHT AND REVIEW TASK FORCE.

(a) ESTABLISHMENT.—There is established a task force to be known as the ''Regulatory Oversight and Review Task Force'' (referred to in this section as the ''Task Force'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Task Force shall be composed of—

(A) the Director of the Office of Management and Budget, who shall serve as the Chairperson of the Task Force;

(B) 1 representative of the Office of Information and Regulatory Affairs; and

(C) 10 individuals from the private sector, who shall be appointed by the President.

(2) EXPERTISE.—Each member of the Task Force appointed under paragraph (1)(C) shall be an individual with expertise in a key technology focus area, as defined in section 2002.

(3) APPOINTMENT.—Not later than 30 days after the date of enactment of this Act, the President shall appoint each member of the Task Force under paragraph (1)(C).

(c) CONSULTATION WITH GAO.—In carrying out its functions under this section, the Task Force shall consult with the Government Accountability Office.

(d) NO COMPENSATION.—A member of the Task Force may not receive any compensation for serving on the Task Force.

(e) EVALUATION OF REGULATIONS.—The Task Force shall evaluate, and provide recommendations for modification, consolidation, harmonization, or repeal of, Federal regulations that—

(1) exclude or otherwise inhibit competition, causing industries of the United States to be less competitive with global competitors;

(2) create barriers to entry for United States businesses, including entrepreneurs and startups;

(3) increase the operating costs for domestic manufacturing;

(4) impose substantial compliance costs and other burdens on industries of the United States, making those industries less competitive with global competitors;

(5) impose burdensome and lengthy permitting processes and requirements;

(6) impact energy production by United States businesses and make the United States dependent on foreign countries for energy supply;

(7) restrict domestic mining, including the mining of critical minerals; or

(8) inhibit capital formation in the economy of the United States.

(f) WEBSITE.—The Task Force shall establish and maintain a user-friendly, public-facing website to be—

(1) a portal for the submission of written comments under subsection (h); and

(2) a gateway for reports and key information.

(g) DUTY OF FEDERAL AGENCIES.—Upon request of the Task Force, a Federal agency shall provide applicable documents and information to help the Task Force carry out its functions under this section.

(h) WRITTEN RECOMMENDATIONS.—

(1) IN GENERAL.— Not later than 15 days after the first meeting of the Task Force, the Task Force shall initiate a process to solicit and collect written recommendations regarding regulations described in subsection (e) from the general public, interested parties, Federal agencies, and other relevant entities.

(2) MANNER OF SUBMISSION.—The Task Force shall allow written recommendations under paragraph (1) to be submitted through—

(A) the website of the Task Force;

(B) regulations.gov;

(C) the mail; or

(D) other appropriate written means.

(3) PUBLICATION.—The Task Force shall publish each recommendation submitted under paragraph (1)—

(A) in the Federal Register;

(B) on the website of the Task Force; and

(C) on regulations.gov.

(4) PUBLIC OUTREACH.—In addition to soliciting and collecting written recommendations under paragraph (1), the Task Force shall conduct public outreach and convene focus groups throughout the United States to solicit feedback and public comments regarding regulations described in subsection (e).

(5) REVIEW AND CONSIDERATION.—The Task Force shall review the information received under paragraphs (1) and (4) and consider including that information in the reports and special message required under subsections (i) and (j), respectively.

(i) REPORTS.—

(1) IN GENERAL.—The Task Force shall submit quarterly and annual reports to Congress on the findings of the Task Force under this section.

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

(A) analyze the Federal regulations identified in accordance with subsection (e); and

(B) provide recommendations for modifications, consolidation, harmonization, and repeal of the regulations described in subparagraph (A) of this paragraph.

(j) SPECIAL MESSAGE TO CONGRESS.—

(1) DEFINITION.—In this subsection, the term ''covered resolution'' means a joint resolution—

(A) the matter after the resolving clause of which contains only—

(i) a list of some or all of the regulations that were recommended for repeal in a special message submitted to Congress under paragraph (2); and

(ii) a provision that immediately repeals the listed regulations upon enactment of the joint resolution; and

(B) upon which Congress completes action before the end of the first period of 60 calendar days after the date on which the special message described in subparagraph (A)(i) of this paragraph is received by Congress.

(2) SUBMISSION.—

(A) IN GENERAL.—Not later than the first day on which both Houses of Congress are in session after May 1 of each year, the Task Force shall submit a special message to Congress that—

(i) details each regulation that the Task Force recommends for repeal; and

(ii) explains why each regulation should be repealed.

(B) DELIVERY TO HOUSE AND SENATE; PRINTING.—Each special message submitted under subparagraph (A) shall be—

(i) delivered to the Clerk of the House of Representatives and the Secretary of the Senate; and

(ii) printed in the Congressional Record.

(3) PROCEDURE IN HOUSE AND SENATE.—

(A) REFERRAL.—A covered resolution shall be referred to the appropriate committee of the House of Representatives or the Senate, as the case may be.

(B) DISCHARGE OF COMMITTEE.—If the committee to which a covered resolution has been referred has not reported the resolution at the end of 25 calendar days after the introduction of the resolution—

(i) the committee shall be discharged from further consideration of the resolution; and

(ii) the resolution shall be placed on the appropriate calendar.

(4) FLOOR CONSIDERATION IN THE HOUSE.—

(A) MOTION TO PROCEED.—

(i) IN GENERAL.—When the committee of the House of Representatives has reported, or has been discharged from further consideration of, a covered resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution.

(ii) PRIVILEGE.—A motion described in clause (i) shall be highly privileged and not debatable.

(iii) NO AMENDMENT OR MOTION TO RECONSIDER.—An amendment to a motion described in clause (i) shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) DEBATE.—

(i) IN GENERAL.—Debate in the House of Representatives on a covered resolution shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution.

(ii) NO MOTION TO RECONSIDER.—It shall not be in order in the House of Representatives to move to reconsider the vote by which a covered resolution is agreed to or disagreed to.

(C) NO MOTION TO POSTPONE CONSIDERATION OR PROCEED TO CONSIDERATION OF OTHER BUSINESS.—In the House of Representatives, motions to postpone, made with respect to the consideration of a covered resolution, and motions to proceed to the consideration of other business, shall not be in order.

(D) APPEALS FROM DECISIONS OF CHAIR.—An appeal from the decision of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a covered resolution shall be decided without debate.

(5) FLOOR CONSIDERATION IN THE SENATE.—

(A) MOTION TO PROCEED.—

(i) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee of the Senate to which a covered resolution is referred has reported, or has been discharged from further consideration of, a covered resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution and all points of order against the covered resolution are waived.

(ii) DIVISION OF TIME.—A motion to proceed described in clause (i) is subject to 4 hours of debate divided equally between those favoring and those opposing the covered resolution.

(iii) NO AMENDMENT OR MOTION TO POSTPONE OR PROCEED TO OTHER BUSINESS.—A motion to proceed described in clause (i) is not subject to—

(I) amendment;

(II) a motion to postpone; or

(III) a motion to proceed to the consideration of other business.

(B) FLOOR CONSIDERATION.—

(i) GENERAL.—In the Senate, a covered resolution shall be subject to 10 hours of debate divided equally between those favoring and those opposing the covered resolution.

(ii) AMENDMENTS.—In the Senate, no amendment to a covered resolution shall be in order, except an amendment that strikes from or adds to the list required under paragraph (1)(A)(i) a regulation recommended for repeal by the Task Force.

(iii) MOTIONS AND APPEALS.—In the Senate, a motion to reconsider a vote on final passage of a covered resolution shall not be in order, and points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

(6) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before passing a covered resolution, one House receives from the other a covered resolution—

(A) the covered resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day on which it is received; and

(B) the procedures set forth in paragraph (4) or (5), as applicable, shall apply in the receiving House to the covered resolution received from the other House to the same extent as those procedures apply to a covered resolution of the receiving House.

(7) RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.—Paragraphs (3) through (7) are enacted by Congress—

(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedures to be followed in the House in the case of covered resolutions, and supersede other rules only to the extent that they are inconsistent with such other rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 1848. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

Notwithstanding any other provision of law, there is authorized to be appropriated for the Defense Advanced Research Projects Agency $7,000,000,000 for each of fiscal years 2022 through 2026.

SA 1849. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. ___. OFFICE OF SCIENCE AND TECHNOLOGY POLICY ARTIFICIAL INTELLIGENCE- AND MACHINE LEARNING-ENABLED GAME.

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy, in coordination with the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General of the United States, the Secretary of Energy, the Secretary of Homeland Security, the Director of National Intelligence, and the heads of such other agencies as the Director of the Office of Science and Technology Policy considers appropriate, shall conduct an artificial intelligence- and machine learning-enabled game of games covering each instrument of national power.

(b) PLAN REQUIRED.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy shall submit to Congress a plan for the execution of the game described in subsection (a).

(2) FORM.—The plan required by paragraph (1) shall be submitted in classified form.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of Science and Technology Policy to carry out this section $100,000,000 for fiscal year 2022.

SA 1850. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. _____. INVESTIGATION AND REPORT ON EDGE NETWORK AUDIO VISUAL SYSTEMS INVOLVING A FOREIGN ADVERSARY.

(a) DEFINITIONS.—In this section:

(1) EDGE NETWORK AUDIO VISUAL SYSTEM.—The term ''edge network audio visual system'' means audio-visual communications equipment used at the edge of telecommunications networks, such as headsets, webcams or other video cameras, desk telephones, conference telephones, videoconferencing devices, and related services, to facilitate voice and video communications.

(2) FOREIGN ADVERSARY.—The term ''foreign adversary'' means any foreign government or foreign non-government person engaged in a long term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons.

(3) ICTS TRANSACTION.—The term ''ICTS Transaction'' has the meaning given such term in section 7.2 of part 7 of title 15, Code of Federal Regulations, as in effect on the day before the date of the enactment of this Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the reliance on edge network audio visual systems has increased significantly as a result of changes in workplace environment and adoption of new technologies, including during Coronavirus Disease 2019 (COVID–19) pandemic, with more widespread uptake of remote work, meetings, virtual offices, and other communications; and

(2) the use of edge network audio visual systems increasingly involves sensitive personal, business, and government information that could present a cybersecurity or national security risk based on the presence of security vulnerabilities or when a manufacturer is susceptible to undue influence by foreign adversaries.

(c) INVESTIGATION AND REPORT.—

(1) INVESTIGATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Commerce shall, in consultation with the heads of such other Federal departments and agencies as the Secretary considers appropriate, commence an investigation regarding—

(A) whether certain manufacturers of edge network audio visual systems and associated ICTS Transactions involving a foreign adversary may present an undue or unacceptable risk to cybersecurity or national security; and

(B) if so, whether restrictions should be imposed on such edge network audio visual systems and associated ICTS Transactions in accordance with such part.

(2) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of such investigation.

(B) FORM.—The report submitted under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of the report shall include information about the results of the investigation and recommendations.

SA 1851. Mr. THUNE (for himself, Mr. TESTER, Mr. MORAN, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE IV—TELECOMMUNICATIONS INDUSTRY WORKFORCE

SEC. 6401. SHORT TITLE.

This title may be cited as the ''Telecommunications Skilled Workforce Act''.

SEC. 6402. TELECOMMUNICATIONS INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

''SEC. 344. TELECOMMUNICATIONS INTERAGENCY WORKING GROUP.

''(a) DEFINITION.—In this section, the term 'telecommunications interagency working group' means the interagency working group established under subsection (b)(1).

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Chairman of the Commission, in partnership with the Secretary of Labor, shall establish within the Commission an interagency working group to develop recommendations to address the workforce needs of the telecommunications industry, including the safety of that workforce.

''(2) DATE OF ESTABLISHMENT.—The telecommunications interagency working group shall be considered established on the date on which a majority of the members of the working group have been appointed, consistent with subsection (d).

''(c) DUTIES.—In developing recommendations under subsection (b), the telecommunications interagency working group shall—

''(1) determine whether, and if so how, any Federal laws, regulations, guidance, policies, or practices, or any budgetary constraints, may be amended to strengthen the ability of institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or for-profit businesses to establish, adopt, or expand programs intended to address the workforce needs of the telecommunications industry, including the workforce needed to build and maintain the 5G wireless infrastructure necessary to support 5G wireless technology;

''(2) identify potential policies and programs that could encourage and improve coordination among Federal agencies, between Federal agencies and States, and among States, on telecommunications workforce needs;

''(3) identify ways in which existing Federal programs, including programs that help facilitate the employment of veterans and military personnel transitioning into civilian life, could be leveraged to help address the workforce needs of the telecommunications industry;

''(4) identify ways to improve recruitment in workforce development programs in the telecommunications industry;

''(5) identify Federal incentives that could be provided to institutions of higher education, for-profit businesses, State workforce development boards established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111), or other relevant stakeholders to establish or adopt new

programs, expand current programs, or partner with registered apprenticeship programs, to address the workforce needs of the telecommunications industry, including such needs in rural areas; and

''(6) identify ways to improve the safety of telecommunications workers, including tower climbers.

''(d) MEMBERS.—The telecommunications interagency working group shall be composed of the following representatives of Federal agencies and relevant non-Federal industry and labor stakeholder organizations:

''(1) A representative of the Department of Education, appointed by the Secretary of Education.

''(2) A representative of the National Telecommunications and Information Administration, appointed by the Assistant Secretary of Commerce for Communications and Information.

''(3) A representative of the Commission, appointed by the Chairman of the Commission.

''(4) A representative of a registered apprenticeship program in construction or maintenance, appointed by the Secretary of Labor.

''(5) A representative of a telecommunications industry association, appointed by the Chairman of the Commission.

''(6) A representative of an Indian Tribe or Tribal organization, appointed by the Chairman of the Commission.

''(7) A representative of a rural telecommunications carrier, appointed by the Chairman of the Commission.

''(8) A representative of a telecommunications contractor firm, appointed by the Chairman of the Commission.

''(9) A representative of a minority-serving institution (defined as an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))), appointed by the Secretary of Education.

''(10) A public interest advocate for tower climber safety, appointed by the Secretary of Labor.

''(11) A representative of the Directorate of Construction of the Occupational Safety and Health Administration, appointed by the Secretary of Labor.

''(12) A representative of a labor organization representing the telecommunications workforce, appointed by the Secretary of Labor.

''(e) NO COMPENSATION.—A member of the telecommunications interagency working group shall serve without compensation.

''(f) OTHER MATTERS.—

''(1) CHAIR AND VICE CHAIR.—The telecommunications interagency working group shall name a chair and a vice chair, who shall be responsible for organizing the business of the working group.

''(2) SUBGROUPS.—The chair and vice chair of the telecommunications interagency working group, in consultation with the other members of the telecommunications interagency working group, may establish such subgroups as necessary to help conduct the work of the telecommunications interagency working group.

''(3) SUPPORT.—The Commission and the Secretary of Labor may detail employees of the Commission and the Department of Labor, respectively, to assist and support the work of the telecommunications interagency working group, though such a detailee shall not be considered to be a member of the working group.

''(g) REPORT TO CONGRESS.—

''(1) REPORT TO CONGRESS.—Not later than 1 year after the date on which the telecommunications interagency working group is established, the working group shall submit a report containing its recommendations to address the workforce needs of the telecommunications industry to—

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

''(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

''(C) the Committee on Energy and Commerce of the House of Representatives;

''(D) the Committee on Education and Labor of the House of Representatives;

''(E) the Department of Labor; and

''(F) the Commission.

''(2) MAJORITY SUPPORT.—The telecommunications interagency working group may not submit the report under paragraph (1) unless the report has the support of not less than the majority of the members of the working group.

''(3) VIEWS.—The telecommunications interagency working group shall—

''(A) include with the report submitted under paragraph (1) any concurring or dissenting view offered by a member of the working group; and

''(B) identify each member to whom each concurring or dissenting view described in subparagraph (A) should be attributed.

''(4) PUBLIC POSTING.—The Commission and the Secretary of Labor shall make a copy of the report submitted under paragraph (1) available to the public on the websites of the Commission and the Department of Labor, respectively.

''(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the telecommunications interagency working group.''.

(b) SUNSET.—Section 344 of the Communications Act of 1934, as added by subsection (a), shall be repealed on the day after the date on which the interagency working group established under subsection (b)(1) of that section submits the report to Congress under subsection (g) of that section.

SEC. 6403. TELECOMMUNICATIONS WORKFORCE GUIDANCE.

Not later than 1 year after the date of enactment of this Act, the Secretary of Labor, in partnership with the Chairman of the Federal Communications Commission, shall establish and issue guidance on how States can address the workforce needs and safety of the telecommunications industry, including guidance on how a State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111) can—

(1) utilize Federal resources available to States to meet the workforce needs of the telecommunications industry;

(2) promote and improve recruitment in workforce development programs in the telecommunications industry; and

(3) ensure the safety of the telecommunications workforce, including tower climbers.

SEC. 6404. GAO ASSESSMENT OF WORKFORCE NEEDS OF THE TELECOMMUNICATIONS INDUSTRY.

(a) DEFINITIONS.—In this section, the term ''appropriate congressional committees'' means—

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

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on Energy and Commerce of the House of Representatives; and

(4) the Committee on Education and Labor of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that estimates the number of skilled telecommunications workers that will be required to build and maintain—

(1) broadband infrastructure in rural areas, including estimates based on—

(A) current need; and

(B) projected need, if Congress enacts legislation that accelerates broadband infrastructure construction in the United States; and

(2) the wireless infrastructure needed to support 5G wireless technology.

SA 1852. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:

SEC. 51___. NO INITIAL PUBLIC OFFERINGS FOR UNACCOUNTABLE ACTORS.

(a) DEFINITIONS.—In this section—

(1) the term ''Board'' means the Public Company Accounting Oversight Board;

(2) the term ''Commission'' means the Securities and Exchange Commission;

(3) the term ''covered entity'' means—

(A) an entity that is headquartered in, or otherwise controlled by an entity that is headquartered in, a foreign jurisdiction in which the Board is prevented from conducting a complete inspection or investigation of a registered public accounting firm under section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214) because of a position taken by an authority in that foreign jurisdiction, as determined by the Board; or

(B) an entity that—

(i) is headquartered in, or otherwise controlled by an entity that is headquartered in, a foreign jurisdiction; and

(ii) retains a registered public accounting firm described in section 104(i)(2)(A) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214(i)(2)(A));

(4) the terms ''exchange'', ''issuer'', and ''security'' have the meanings given the terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)); and

(5) the term ''national securities exchange'' means an exchange registered as a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).

(b) PROHIBITIONS REGARDING COVERED ENTITIES.—Beginning on the date that is 1 year after the date of enactment of this Act—

(1) the Commission shall prohibit the initial listing of the securities of a covered entity on a national securities exchange;

(2) if the securities of an issuer are listed on a national securities exchange and, as a result of a business combination, that issuer becomes a covered entity, the Commission shall prohibit the national securities exchange from continuing to list the securities of the issuer; and

(3) a covered entity may not register a security of the covered entity under section 12(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(b)).

SA 1853. Mr. CASEY (for himself, Mr. CORNYN, Ms. STABENOW, Mr. RUBIO, Mr. KAINE, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science

Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, the following:

SEC. 2528. NATIONAL CRITICAL CAPABILITIES REVIEWS.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by adding at the end the following:

"TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

"SEC. 1001. DEFINITIONS.

''In this title:

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

''(A) the Committee on Finance, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Ways and Means, the Committee on Armed Services, the Committee on Education and Labor, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) COMMITTEE.—The term 'Committee' means the Committee on National Critical Capabilities established under section 1002.

''(3) CONTROL.—The term 'control' means the power, direct or indirect, whether exercised or not exercised, to determine, direct, or decide important matters affecting an entity, subject to regulations prescribed by the Committee.

''(4) COUNTRY OF CONCERN.—The term 'country of concern'—

''(A) has the meaning given the term 'foreign adversary' in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)); and

''(B) may include a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) identified by the Committee for purposes of this paragraph by regulation.

''(5) COVERED TRANSACTION.—

''(A) IN GENERAL.—Except as otherwise provided, the term 'covered transaction' means any of the following transactions, proposed or pending on or after the date of the enactment of this title:

''(i) Any transaction by a United States business that—

''(I) shifts or relocates to a country of concern, or transfers to an entity of concern, the design, development, production, manufacture, fabrication, supply, servicing, testing, management, operation, investment, ownership, or any other essential elements involving one or more national critical capabilities identified under subparagraph (B)(ii); or

''(II) could result in an unacceptable risk to a national critical capability.

''(ii) Any other transaction, transfer, agreement, or arrangement, the structure of which is designed or intended to evade or circumvent the application of this title, subject to regulations prescribed by the Committee.

''(B) REGULATIONS.—

''(i) IN GENERAL.—The Committee shall prescribe regulations further defining the term 'covered transaction' in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

''(ii) IDENTIFICATION OF NATIONAL CRITICAL CAPABILITIES.—For purposes of subparagraph (A)(I), the regulations prescribed by the Committee under clause (i) shall—

''(I) identify the national critical capabilities subject to that subparagraph based on criteria intended to limit application of that subparagraph to the subset of national critical capabilities that is likely to pose an unacceptable risk to the national security and crisis preparedness of the United States; and

''(II) enumerate, quantify, prioritize, and set forth sufficient allowances of, specific types and examples of such capabilities.

''(6) CRISIS PREPAREDNESS.—The term 'crisis preparedness' means preparedness for—

''(A) a public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

''(B) a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

''(7) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters.

''(8) ENTITY OF CONCERN.—The term 'entity of concern' means an entity—

''(A) the ultimate parent entity of which is domiciled in a country of concern; or

''(B) that is directly or indirectly controlled by, owned by, or subject to the influence of a foreign person that has a substantial nexus with a country of concern.

''(9) FOREIGN ENTITY.—

''(A) IN GENERAL.—Except as provided by subparagraph (B), the term 'foreign entity' means any branch, partnership, group or sub-group, association, estate, trust, corporation or division of a corporation, or organization organized under the laws of a foreign country if—

''(i) its principal place of business is outside the United States; or

''(ii) its equity securities are primarily traded on one or more foreign exchanges.

''(B) EXCEPTION.—The term 'foreign entity' does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in such entity is ultimately owned by nationals of the United States.

''(10) FOREIGN PERSON.—The term 'foreign person' means—

''(A) any foreign national, foreign government, or foreign entity;

''(B) any entity over which control is exercised or exercisable by a foreign national, foreign government, or foreign entity; or

''(C) any entity over which control is exercised or exercisable by a person described in subparagraph (A) or (B).

''(11) NATIONAL CRITICAL CAPABILITIES.—The term 'national critical capabilities', subject to regulations prescribed by the Committee—

''(A) means systems and assets, whether physical or virtual, so vital to the United States that the inability to develop such systems and assets or the incapacity or destruction of such systems or assets would have a debilitating impact on national security or crisis preparedness; and

''(B) includes the following:

''(i) The production, in sufficient quantities, of any of the following articles:

''(I) Medical supplies, medicines, and personal protective equipment.

''(II) Articles essential to the operation, manufacture, supply, service, or maintenance of critical infrastructure.

''(III) Articles critical to infrastructure construction after a natural or manmade disaster.

''(IV) Articles that are components of systems critical to the operation of weapons systems, intelligence collection systems, or items critical to the conduct of military or intelligence operations.

''(V) Any other articles identified in regulations prescribed under section 1007.

''(ii) Supply chains for the production of articles described in clause (i).

''(iii) Essential supply chains for the Department of Defense.

''(iv) Any other supply chains identified in regulations prescribed under section 1007.

''(v) Services critical to the production of articles described in clause (i) or a supply chain described in clause (ii), (iii), or (iv).

''(vi) Medical services.

''(vii) Services critical to the maintenance of critical infrastructure.

''(viii) Services critical to infrastructure construction after a natural or manmade disaster.

''(ix) Any other services identified in regulations prescribed under section 1007.

''(12) NATIONAL SECURITY.—The term 'national security' includes—

''(A) national security, as defined in section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a));

''(B) national defense, as defined in section 702 of that Act (50 U.S.C. 4552); and

''(C) agricultural security and natural resources security.

''(13) PARTY.—The term 'party', with respect to a transaction, has the meaning given that term in regulations prescribed by the Committee.

''(14) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, and any territory or possession of the United States.

''(15) UNITED STATES BUSINESS.—The term 'United States business' means a person engaged in interstate commerce in the United States.

"SEC. 1002. COMMITTEE ON NATIONAL CRITICAL CAPABILITIES.

''(a) IN GENERAL.—There is established a committee, to be known as the 'Committee on National Critical Capabilities', which shall carry out this title and such other assignments as the President may designate.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Committee shall be comprised of the head, or a designee of the head, of each of the following:

''(A) The Office of the United States Trade Representative.

''(B) The Department of Commerce.

''(C) The Office of Science and Technology Policy.

''(D) The Department of the Treasury.

''(E) The Department of Homeland Security.

''(F) The Department of Defense.

''(G) The Department of State.

''(H) The Department of Justice.

''(I) The Department of Energy.

''(J) The Department of Health and Human Services.

''(K) The Department of Agriculture.

''(L) The Department of Labor.

''(M) Any other Federal agency the President determines appropriate, generally or on a case-by-case basis.

''(2) EX OFFICIO MEMBERS.—

''(A) IN GENERAL.—In addition to the members of the Committee specified in paragraph (1), the following shall, except as provided in subparagraph (B), be nonvoting, ex officio members of the Committee:

''(i) The Director of National Intelligence.

''(ii) The Administrator of the Federal Emergency Management Agency.

''(iii) The Director of the National Institute of Standards and Technology.

''(iv) The Director of the Centers for Disease Control and Prevention.

''(v) The Director of the National Institute of Allergy and Infectious Diseases.

''(vi) The Chairperson of the Federal Communications Commission.

''(vii) The Chairperson of the Securities and Exchange Commission.

''(viii) The Chairperson of the Commodity Futures Trading Commission.

''(ix) The Administrator of the Federal Aviation Administration.

''(B) DESIGNATION AS VOTING MEMBERS.—The chairperson of the Committee may designate any of the officials specified in clauses (ii) through (ix) of subparagraph (A) as voting members of the Committee.

''(c) CHAIRPERSON.—

''(1) IN GENERAL.—The United States Trade Representative shall serve as the chairperson of the Committee.

''(2) CONSULTATIONS WITH SECRETARIES OF DEFENSE AND COMMERCE.—In carrying out the duties of the chairperson of the Committee, the United States Trade Representative shall consult with the Secretary of Defense and the Secretary of Commerce.

''(d) DESIGNATION OF OFFICIALS TO CARRY OUT DUTIES RELATED TO COMMITTEE.—The head of each agency represented on the Committee shall designate an official, at or equivalent to the level of Assistant Secretary in the Department of the Treasury, who is appointed by the President, by and with the advice and consent of the Senate, to carry out such duties related to the Committee as the head of the agency may assign.

''SEC. 1003. REVIEW OF COVERED TRANSACTIONS.

''(a) MANDATORY NOTIFICATION.—A United States business that engages in a covered transaction shall submit a written notification of the transaction to the Committee.

''(b) REVIEW.—

''(1) IN GENERAL.—Not later than 60 days after receiving written notification under subsection (a) of a covered transaction, the Committee may—

''(A) review the transaction to determine if the transaction is likely to result in an unacceptable risk to one or more national critical capabilities, including by considering factors specified in section 1005; and

''(B) if the Committee determines under subparagraph (A) that the transaction poses a risk described in that subparagraph, make recommendations—

''(i) to the President for appropriate action that may be taken under this title or under other existing authorities to address or mitigate that risk; and

''(ii) to Congress for the establishment or expansion of Federal programs to support the production or supply of articles and services described in section 1001(a)(11)(B) in the United States.

''(2) UNILATERAL INITIATION OF REVIEW.—The Committee may initiate a review under paragraph (1) of a covered transaction for which written notification is not submitted under subsection (a).

''(3) INITIATION OF REVIEW BY REQUEST FROM CONGRESS.—The Committee shall initiate a review under paragraph (1) of a covered transaction if the chairperson and the ranking member of one of the appropriate congressional committees jointly request the Committee to review the transaction.

''(c) TREATMENT OF BUSINESS CONFIDENTIAL INFORMATION.—A United States business shall submit each notification required by subsection (a) to the Committee—

''(1) in a form that includes business confidential information; and

''(2) in a form that omits business confidential information and is appropriate for disclosure to the public.

''SEC. 1004. ACTION BY THE PRESIDENT.

''(a) IN GENERAL.—Subject to subsection (d), the President may take such action for such time as the President considers appropriate to address or mitigate any unacceptable risk posed by a covered transaction to one or more national critical capabilities, including suspending or prohibiting the covered transaction.

''(b) ANNOUNCEMENT BY THE PRESIDENT.—The President shall announce the decision on whether or not to take action pursuant to subsection (a) with respect to a covered transaction not later than 15 days after the date on which the review of the transaction under section 1003 is completed.

''(c) ENFORCEMENT.—The President may direct the Attorney General of the United States to seek appropriate relief, including divestment relief, in the district courts of the United States, in order to implement and enforce this section.

''(d) FINDINGS OF THE PRESIDENT.—The President may exercise the authority conferred by subsection (a) to suspend or prohibit a covered transaction only if the President finds that—

''(1) there is credible evidence that leads the President to believe that the transaction poses an unacceptable risk to one or more national critical capabilities; and

''(2) provisions of law (other than this section) do not, in the judgment of the President, provide adequate and appropriate authority for the President to protect such capabilities.

''(e) FACTORS TO BE CONSIDERED.—For purposes of determining whether to take action under subsection (a), the President shall consider, among other factors, each of the factors described in section 1005, as appropriate.

''SEC. 1005. FACTORS TO BE CONSIDERED.

''The Committee, in reviewing and making a determination with respect to a covered transaction under section 1003, and the President, in determining whether to take action under section 1004 with respect to a covered transaction, shall consider any factors relating to national critical capabilities that the Committee or the President considers relevant, including—

''(1) the long-term strategic economic, national security, and crisis preparedness interests of the United States;

''(2) the history of distortive or predatory trade practices in each country in which a foreign person that is a party to the transaction is domiciled;

''(3) control and beneficial ownership (as determined in accordance with section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2509 note)) of each foreign person that is a party to the transaction; and

''(4) impact on the domestic industry and resulting resiliency, including the domestic skills base, taking into consideration any pattern of foreign investment in the domestic industry.

''SEC. 1006. SUPPLY CHAIN SENSITIVITIES.

''The Committee shall determine the sensitivities and risks for sourcing of articles described in section 1001(a)(11)(B)(i), in accordance with the following:

''(1) The sourcing of least concern shall be articles the supply chains for which are housed in whole within countries that are allies of the United States.

''(2) The sourcing of greater concern shall be articles the supply chains for which are housed in part within countries of concern or from an entity of concern but for which substitute production is available from elsewhere at required scale.

''(3) The sourcing of greatest concern shall be articles the supply chains for which are housed wholly or in part in countries of concern or from an entity of concern and for which substitute production is unavailable elsewhere at required scale.

''SEC. 1007. IDENTIFICATION OF ADDITIONAL NATIONAL CRITICAL CAPABILITIES.

''(a) IN GENERAL.—The Committee should prescribe regulations to identify additional articles, supply chains, and services to recommend for inclusion in the definition of 'national critical capabilities' under section 1001(a)(11).

''(b) REVIEW OF INDUSTRIES.—

''(1) IN GENERAL.—In identifying under subsection (a) additional articles, supply chains, and services to recommend for inclusion in the definition of 'national critical capabilities' under section 1001(a)(11), the Committee should conduct a review of industries identified by Federal Emergency Management Agency as carrying out emergency support functions, including the following industries:

''(A) Energy.

''(B) Medical.

''(C) Communications, including electronic and communications components.

''(D) Defense.

''(E) Transportation.

''(F) Aerospace, including space launch.

''(G) Robotics.

''(H) Artificial intelligence.

''(I) Semiconductors.

''(J) Shipbuilding.

''(K) Water, including water purification.

''(2) QUANTIFICATION.—In conducting a review of industries under paragraph (1), the Committee should specify the quantity of articles, supply chains, and services, and specific types and examples of transactions, from each industry sufficient to maintain national critical capabilities.

''SEC. 1008. REPORTING REQUIREMENTS.

''(a) ANNUAL REPORT TO CONGRESS.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the United States Innovation and Competition Act of 2021, and annually thereafter, the Committee shall submit to the appropriate congressional committees a report—

''(A) on the determination under section 1006 with respect to sensitivities and risks for sourcing of articles described in section 1001(a)(11)(B)(i);

''(B) assessing whether identification of additional national critical capabilities under section 1007 is necessary; and

''(C) describing, for the year preceding submission of the report—

''(i) the notifications received under subsection (a) of section 1003 and reviews conducted pursuant to such notifications;

''(ii) reviews initiated under paragraph (2) or (3) of subsection (b) of that section;

''(iii) actions recommended by the Committee under subsection (b)(1)(B) of that section as a result of such reviews; and

''(iv) reviews during which the Committee determined no action was required; and

''(D) assessing the overall impact of such reviews on national critical capabilities.

''(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

''(b) USE OF DEFENSE PRODUCTION ACT OF 1950 AUTHORITIES.—Not later than 180 days after the date of the enactment of the United States Innovation and Competition Act of 2021, the Committee shall submit to Congress a report that includes recommendations relating to use the authorities under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to make investments to enhance national critical capabilities and reduce dependency on materials and services imported from foreign countries.

"SEC. 1009. REQUIREMENT FOR REGULATIONS.

''(a) IN GENERAL.—The Committee shall prescribe regulations to carry out this title.

''(b) ELEMENTS.—Regulations prescribed to carry out this title shall—

''(1) provide for the imposition of civil penalties for any violation of this title, including any mitigation agreement entered into, conditions imposed, or order issued pursuant to this title; and

''(2) include specific examples of the types of—

''(A) the transactions that will be considered to be covered transactions; and

''(B) the articles, supply chains, and services that will be considered to be national critical capabilities.

''(c) COORDINATION.—In prescribing regulations to carry out this title, the Committee shall coordinate with the United States Trade Representative, the Under Secretary of Commerce for Industry and Security, and the Committee on Foreign Investment in the United States to avoid duplication of effort.

"SEC. 1010. REQUIREMENTS RELATED TO GOVERNMENT PROCUREMENT.

''(a) IN GENERAL.—Not later than 90 days after the date of the enactment of the United States Innovation and Competition Act of 2021, the Federal Acquisition Regulation shall be revised to require each person that is a prospective contractor for an executive agency to disclose the supply chains the person would use to carry out the contract and the extent to which the person would depend on articles and services imported from foreign countries, including the percentage of such materials and services imported from countries of concern.

''(b) MATERIALITY.—The head of an executive agency shall consider the failure of a person to make the disclosures required by subsection (a) to be material determinants in awarding a contract to that person.

''(c) APPLICABILITY.—The revisions to the Federal Acquisition Regulation required under subsection (a) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of the United States Innovation and Competition Act of 2021.

''(d) DEFINITIONS.—In this section:

''(1) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning given that term in section 133 of title 41, United States Code.

''(2) FEDERAL ACQUISITION REGULATION.—The term 'Federal Acquisition Regulation' means the regulation issued pursuant to section 1303(a)(1) of title 41, United States Code.

"SEC. 1011. MULTILATERAL ENGAGEMENT AND COORDINATION.

''The United States Trade Representative—

''(1) should, in coordination and consultation with relevant Federal agencies, conduct multilateral engagement with the governments of countries that are allies of the United States to secure coordination of protocols and procedures with respect to covered transactions with countries of concern; and

''(2) upon adoption of protocols and procedures described in paragraph (1), shall work with those governments to establish information sharing regimes.

"SEC. 1012. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

"SEC. 1013. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

''Nothing in this title may be construed as prohibiting or limiting the free and fair flow of commerce outside of the United States that does not pose an unacceptable risk to a national critical capability.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

''TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

''Sec. 1001. Definitions.
''Sec. 1002. Committee on National Critical Capabilities.
''Sec. 1003. Review of covered transactions.
''Sec. 1004. Action by the President.
''Sec. 1005. Factors to be considered.
''Sec. 1006. Supply chain sensitivities.
''Sec. 1007. Identification of additional national critical capabilities.
''Sec. 1008. Reporting requirements.
''Sec. 1009. Requirement for regulations.
''Sec. 1010. Requirements related to government procurement.
''Sec. 1011. Multilateral engagement and coordination.
''Sec. 1012. Authorization of appropriations.
''Sec. 1013. Rule of construction with respect to free and fair commerce.''.

SA 1854. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 25___. ADVANCED ENERGY MANUFACTURING AND RECYCLING GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADVANCED ENERGY PROPERTY.—The term ''advanced energy property'' means—

(A) property designed to be used to produce energy from the sun, water, wind, geothermal or hydrothermal (as those terms are defined in section 612 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17191)) resources, enhanced geothermal systems (as defined in that section), or other renewable resources;

(B) fuel cells, microturbines, or energy storage systems and components;

(C) electric grid modernization equipment or components;

(D) property designed to capture, remove, use, or sequester carbon oxide emissions;

(E) equipment designed to refine, electrolyze, or blend any fuel, chemical, or product that is—

(i) renewable; or

(ii) low-carbon and low-emission;

(F) property designed to produce energy conservation technologies (including for residential, commercial, and industrial applications);

(G)(i) light-, medium-, or heavy-duty electric or fuel cell vehicles;

(ii) technologies, components, and materials of those vehicles; and

(iii) charging or refueling infrastructure associated with those vehicles;

(H)(i) hybrid vehicles with a gross vehicle weight rating of not less than 14,000 pounds; and

(ii) technologies, components, and materials for those vehicles; and

(I) other advanced energy property designed to reduce greenhouse gas emissions, as may be determined by the Secretary.

(2) COVERED CENSUS TRACT.—The term ''covered census tract'' means a census tract—

(A) in which, after December 31, 1999, a coal mine had closed;

(B) in which, after December 31, 2009, a coal-fired electricity generating unit had been retired; or

(C) that is immediately adjacent to a census tract described in subparagraph (A) or (B).

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

(A) the gross annual sales of which are less than $100,000,000;

(B) that has fewer than 500 employees at the plant site of the manufacturing firm; and

(C) the annual energy bills of which total more than $100,000 but less than $2,500,000.

(4) MINORITY-OWNED.—The term ''minority-owned'', with respect to an eligible entity, means an eligible entity not less than 51 percent of which is owned by 1 or more Black American, Native American, Hispanic American, or Asian American individuals.

(5) PROGRAM.—The term ''Program'' means the grant program established under subsection (b).

(6) QUALIFYING ADVANCED ENERGY PROJECT.—The term ''qualifying advanced energy project'' means a project that—

(A)(i) re-equips, expands, or establishes a manufacturing or recycling facility for the production or recycling, as applicable, of advanced energy property; or

(ii) re-equips an industrial or manufacturing facility with equipment designed to reduce the greenhouse gas emissions of that facility substantially below the greenhouse gas emissions under current best practices, as determined by the Secretary, through the installation of—

(I) low- or zero-carbon process heat systems;

(II) carbon capture, transport, utilization, and storage systems;

(III) technology relating to energy efficiency and reduction in waste from industrial processes; or

(IV) any other industrial technology that significantly reduces greenhouse gas emissions, as determined by the Secretary;

(B) has a reasonable expectation of commercial viability, as determined by the Secretary; and

(C) is located in a covered census tract.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to award grants to eligible entities to carry out qualifying advanced energy projects.

(c) APPLICATIONS.—

(1) IN GENERAL.—Each 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 may require, including a description of the proposed qualifying advanced energy project to be carried out using the grant.

(2) SELECTION CRITERIA.—

(A) PROJECTS.—In selecting eligible entities to receive grants under the Program, the Secretary shall, with respect to the qualifying advanced energy projects proposed by the eligible entities, give higher priority to projects that—

(i) will provide higher net impact in avoiding or reducing anthropogenic emissions of greenhouse gases;

(ii) will result in a higher level of domestic job creation (both direct and indirect) during the lifetime of the project;

(iii) will result in a higher level of job creation in the vicinity of the project, particularly with respect to—

(I) low-income communities (as described in section 45D(e) of the Internal Revenue Code of 1986); and

(II) dislocated workers who were previously employed in manufacturing, coal power plants, or coal mining;

(iv) have higher potential for technological innovation and commercial deployment;

(v) have a lower levelized cost of—

(I) generated or stored energy; or

(II) measured reduction in energy consumption or greenhouse gas emission (based on costs of the full supply chain); and

(vi) have a shorter project time.

(B) ELIGIBLE ENTITIES.—In selecting eligible entities to receive grants under the Program, the Secretary shall give priority to eligible entities that are minority-owned.

(d) PROJECT COMPLETION AND LOCATION; RETURN OF UNOBLIGATED FUNDS.—

(1) COMPLETION; RETURN OF UNOBLIGATED FUNDS.—An eligible entity that receives a grant under the Program shall be required—

(A) to complete the qualifying advanced energy project funded by the grant not later than 3 years after the date of receipt of the grant funds; and

(B) to return to the Secretary any grant funds that remain unobligated at the end of that 3-year period.

(2) LOCATION.—If the Secretary determines that an eligible entity awarded a grant under the Program has carried out the applicable qualifying advanced energy project at a location that is materially different from the location specified in the application for the grant, the eligible entity shall be required to return the grant funds to the Secretary.

(e) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall provide technical assistance on a selective basis to eligible entities that are seeking a grant under the Program to enhance the impact of the qualifying advanced energy project to be carried out using the grant with respect to the selection criteria described in subsection (c)(2)(A).

(2) APPLICATIONS.—An eligible entity desiring technical assistance under paragraph (1) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(3) FACTORS FOR CONSIDERATION.—In selecting eligible entities for technical assistance under paragraph (1), the Secretary shall give higher priority to eligible entities that propose a qualifying advanced energy project that has greater potential for enhancement of the impact of the project with respect to the selection criteria described in subsection (c)(2)(A).

(f) PUBLICATION OF GRANTS.—The Secretary shall make publicly available the identity of each eligible entity awarded a grant under the Program and the amount of the grant.

(g) WAGE RATE REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, all laborers and mechanics employed by contractors and subcontractors on qualifying advanced energy projects funded by a grant under the Program 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 (commonly known as the ''Davis-Bacon Act'').

(2) AUTHORITY.—With respect to the labor standards specified in paragraph (1), 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.

(h) REPORT.—Not later than 4 years after the date of enactment this Act, the Secretary shall—

(1) review the grants awarded under the Program; and

(2) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing those grants.

(i) FUNDING.—There is appropriated to the Secretary, out of amounts in the Treasury not otherwise appropriated, $150,000,000 to carry out the Program for fiscal year 2022.

SA 1855. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2515 and insert the following:

SEC. 2515. RESTRICTIONS ON NUCLEAR COOPERATION WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the document entitled ''U.S. Policy Framework on Civil Nuclear Cooperation with China'' (PF 2019–03), which was issued on October 11, 2018, places necessary and appropriate restrictions on nuclear cooperation with the People's Republic of China and should, therefore, remain in force.

(b) REPORTS ON MODIFICATIONS TO RESTRICTIONS.—

(1) REQUIREMENT.—Not later than 60 days before the date on which the Secretary of Energy seeks to modify any restriction on the transfer of United States civil nuclear technology to the People's Republic of China, the Secretary of Energy, with the concurrence of the Secretary of State and after consultation with the Nuclear Regulatory Commission, the Secretary of Commerce, and the Secretary of Defense and review by the Director of National Intelligence, shall submit to the appropriate committees of Congress a report on such modification, including a description of, and explanation for, the modification.

(2) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) REVIEW OF PRIOR NUCLEAR COOPERATION AND ASSOCIATED IMPACTS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate—

(A) a review of nuclear cooperation during the 10-year period ending on the date of the enactment of this Act between the United States Government and the People's Republic of China, including the role of the Department of State in facilitating such cooperation; and

(B) assessing the implications of the cooperation described in subparagraph (A) on the national security of the United States.

(2) ELEMENTS.—In conducting the review and assessment under paragraph (1), the Comptroller General shall examine all nuclear cooperation activities between the United States Government and the People's Republic of China during the 10-year period ending on the date of the enactment of this Act, including—

(A) all trips relating to nuclear cooperation taken by officials of the United States Government to the People's Republic of China;

(B) all exchanges of goods, services, data, or information between officials of the United States Government and the Government of the People's Republic of China or any entity owned or controlled by that Government or organized under the laws of the People's Republic of China;

(C) all instances in which officials of the United States Government hosted officials from, or significantly tied to, the Government of the People's Republic of China or any entity described in subparagraph (B).

(3) DEADLINE AND REPORT.—Not later than 2 years after Comptroller General initiates the review and assessment under paragraph (1), the Comptroller General shall—

(A) complete the review and assessment; and

(B) submit to the appropriate committees of Congress a report containing the results of the review and assessment, which shall be unclassified but, if necessary, may include a classified annex.

(4) PUBLICATION.—Not later than 60 days after the date on which the Comptroller General submits the report required by paragraph (3), the Comptroller General shall make the report publicly available in an easily accessible electronic format, with appropriate redactions for information that, in the determination of the Secretary of Energy, would be damaging to the national security of the United States if disclosed.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit—

(1) United States commercial activities that are consistent with the laws and regulations of the United States; or

(2) limited diplomatic engagement or dialogue—

(A) including regarding protection of the intellectual property and trade secrets of United States persons; and

(B) except for any diplomatic engagement or dialogue relating to or aimed at facilitating the transfer of nuclear technology.

(e) DEFINITIONS.—In this section:

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

(A) the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives.

(2) NUCLEAR COOPERATION.—The term ''nuclear cooperation'' means cooperation with respect to nuclear activities, including the development, use, or control of atomic energy, including any activities involving the processing or utilization of source material, byproduct material, or special nuclear material (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)).

(3) NUCLEAR COOPERATION ACTIVITIES.—The term ''nuclear cooperation activities'' means activities relating to nuclear cooperation.

(4) RESTRICTION ON THE TRANSFER OF UNITED STATES CIVIL NUCLEAR TECHNOLOGY TO THE PEOPLE'S REPUBLIC OF CHINA.—The term ''restriction on the transfer of United States civil nuclear technology to the People's Republic of China'' includes the 2018 United States Policy Framework on Civil Nuclear Cooperation with China of the Department of Energy.

SA 1856. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish

a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. USCIS ACCESS TO CRIMINAL HISTORY RECORDS.

(a) IN GENERAL.—In addition to any other access to criminal history records authorized for noncriminal justice purposes under the National Crime History Access and Child Protection Act (34 U.S.C. 40311 et seq.), the Attorney General and the Director of the Federal Bureau of Investigation shall provide the Secretary of Homeland Security, for purposes relating to immigration and naturalization matters, with—

(1) direct access to criminal history records without submission of positive identification, including name-check access to the Interstate Identification Index (III) System; and

(2) access to sealed record information and any other criminal history information on the same terms as are provided to an agency performing a criminal justice or law enforcement purpose.

(b) DEFINITIONS.—The definitions in section 213 of the National Criminal History Access and Child Protection Act (34 U.S.C. 40312) shall apply to subsection (a).

SA 1857. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 496, strike line 17 and all that follows through page 535, line 15, and insert the following:

(9) JOHNSON SPACE CENTER.—The term ''Johnson Space Center'' means the Lyndon B. Johnson Space Center in Houston, Texas.

(10) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(11) ORION.—The term ''Orion'' means the multipurpose crew vehicle described in section 303 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18323).

(12) OSTP.—The term ''OSTP'' means the Office of Science and Technology Policy.

(13) SPACE LAUNCH SYSTEM.—The term ''Space Launch System'' means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Act of 2010 (42 U.S.C. 18322).

PART I—AUTHORIZATION OF APPROPRIATIONS

SEC. 2613. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Administration for fiscal year 2021 $23,495,000,000 as follows:

(1) For Exploration, $6,706,400,000.

(2) For Space Operations, $3,988,200,000.

(3) For Science, $7,274,700,000.

(4) For Aeronautics, $828,700,000.

(5) For Space Technology, $1,206,000,000.

(6) For Science, Technology, Engineering, and Mathematics Engagement, $120,000,000.

(7) For Safety, Security, and Mission Services, $2,936,500,000.

(8) For Construction and Environmental Compliance and Restoration, $390,300,000.

(9) For Inspector General, $44,200,000.

PART II—HUMAN SPACEFLIGHT AND EXPLORATION

SEC. 2614. COMPETITIVENESS WITHIN THE HUMAN LANDING SYSTEM PROGRAM.

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

(1) The Apollo 11 landing on July 20, 1969, marked the first steps of a human being on the surface of another world, representing a giant leap for all humanity and a significant demonstration of the spaceflight capabilities of the United States.

(2) Section 202(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(a)) establishes for the National Aeronautics and Space Administration the long-term goals of expanding human presence in space and establishing a thriving space economy in low-Earth orbit and beyond.

(3) The 2017 National Security Strategy designates the human exploration of the solar system as a strategic priority for the United States.

(4) Establishing and ensuring the sustainability of human space exploration of the solar system, as called for in the Space Policy Directive–1 entitled ''Reinvigorating America's Human Space Exploration Program'' (82 Fed. Reg. 239 (December 11, 2017)) and the National Space Exploration Campaign Report of the National Aeronautics and Space Administration issued in September 2018, will require carrying out human exploration and related extravehicular activities on the surface of other celestial bodies in a safe and cost-effective manner.

(5) The Johnson Space Center has decades of experience working with international partners, other Federal agencies, and partners in industry and academia to study, develop, and carry out the human spaceflight priorities of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) advances in space technology and space exploration capabilities ensure the long-term technological preeminence, economic competitiveness, STEM workforce development, and national security of the United States;

(2) the development of technologies that enable human exploration of the lunar surface and other celestial bodies is critical to the space industrial base of the United States;

(3) commercial entities in the United States have made significant investment and progress toward the development of human-class lunar landers;

(4) NASA developed the Artemis program—

(A) to fulfill the goal of landing United States astronauts, including the first woman and the next man, on the Moon; and

(B) to collaborate with commercial and international partners to establish sustainable lunar exploration by 2028;

(5) in carrying out the Artemis program, the Administrator should ensure that the entire Artemis program is inclusive and representative of all people of the United States, including women and minorities; and

(6) maintaining multiple technically credible providers within NASA commercial programs is a best practice that reduces programmatic risk.

(c) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to bolster the domestic space technology industrial base, using existing tools and authorities, particularly in areas central to competition between the United States and the People's Republic of China;

(2) to mitigate threats and minimize challenges to the superiority of the United States in space technology, including lunar infrastructure and lander capabilities;

(3) to continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station; and

(4) that such capability shall—

(A) maintain the global leadership of the United States and relationships with partners and allies;

(B) contribute to the general welfare of the United States; and

(C) leverage commercial capabilities to promote affordability so as not to preclude a robust portfolio of other human space exploration activities.

(d) HUMAN LANDING SYSTEM PROGRAM.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this division, the Administrator shall maintain competitiveness within the human landing system program by funding design, development, testing, and evaluation for not fewer than 2 entities.

(2) REQUIREMENTS.—In carrying out the human landing system program referred to in paragraph (1), the Administrator shall, to the extent practicable—

(A) encourage reusability and sustainability of systems developed; and

(B) offer existing capabilities and assets of NASA centers to support such partnerships.

(3) BRIEFING.—Not later than 60 days after the date of the enactment of this division, the Administrator shall provide to the appropriate committees of Congress a briefing on the implementation of paragraph (1).

(4) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise appropriated for the Artemis program, for fiscal years 2021 through 2025, there is authorized to be appropriated $10,032,000,000 to NASA to carry out the human landing system program.

(5) SAVINGS.—The Administrator shall not, in order to comply with the obligations referred to in paragraph (1), modify, terminate, or rescind any selection decisions or awards made under the human landing system program that were announced prior to the date of enactment of this division.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

(2) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

SEC. 2615. SPACE LAUNCH SYSTEM CONFIGURATIONS.

(a) MOBILE LAUNCH PLATFORM.—The Administrator is authorized to maintain 2 operational mobile launch platforms to enable the launch of multiple configurations of the Space Launch System.

(b) EXPLORATION UPPER STAGE.—To meet the capability requirements under section 302(c)(2) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322(c)(2)), the Administrator shall continue development of the Exploration Upper Stage for the Space Launch System with a scheduled availability sufficient for use on the third launch of the Space Launch System.

(c) BRIEFING.—Not later than 90 days after the date of the enactment of this division, the Administrator shall brief the appropriate

committees of Congress on the development and scheduled availability of the Exploration Upper Stage for the third launch of the Space Launch System.

(d) MAIN PROPULSION TEST ARTICLE.—To meet the requirements under section 302(c)(3) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322(c)(3)), the Administrator shall—

(1) immediately on completion of the first full-duration integrated core stage test of the Space Launch System, initiate development of a main propulsion test article for the integrated core stage propulsion elements of the Space Launch System, consistent with cost and schedule constraints, particularly for long-lead propulsion hardware needed for flight;

(2) not later than 180 days after the date of the enactment of this division, submit to the appropriate committees of Congress a detailed plan for the development and operation of such main propulsion test article; and

(3) use existing capabilities of NASA centers for the design, manufacture, and operation of the main propulsion test article.

SEC. 2616. ADVANCED SPACESUITS.

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

(1) The civil service workforce of the Administration at the Johnson Space Center has unique capabilities to integrate, design, and validate space suits and associated EVA technologies.

(2) Maintaining a strong core competency in the design, development, manufacture, and operation of space suits and related technologies allows the Administration to be an informed purchaser of competitively awarded commercial space suits and associated EVA technologies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that next-generation advanced spacesuits and associated EVA technologies are a critical technology for human space exploration and use of low-Earth orbit, cislunar space, the surface of the Moon, and Mars.

(c) DEVELOPMENT PLAN.—The Administrator shall establish a detailed plan for the development and manufacture of advanced spacesuits and associated EVA technologies, consistent with the deep space exploration goals and timetables of NASA.

(d) DIVERSE ASTRONAUT CORPS.—The Administrator shall ensure that spacesuits developed and manufactured after the date of the enactment of this division are capable of accommodating a wide range of sizes of astronauts so as to meet the needs of the diverse NASA astronaut corps.

(e) ISS USE.—Throughout the operational life of the ISS, the Administrator should fully use the ISS for testing advanced spacesuits.

(f) PRIOR INVESTMENTS.—

(1) IN GENERAL.—In developing an advanced spacesuit, the Administrator, with the support of the Director of the Johnson Space Center, shall, to the maximum extent practicable, partner with industry-proven spacesuit design, development, and manufacturing suppliers and leverage prior and existing investments in advanced spacesuit technologies and existing capabilities at NASA centers to maximize the benefits of such investments and technologies.

(2) AGREEMENTS WITH PRIVATE ENTITIES.—In carrying out this subsection, the Administrator may enter into 1 or more agreements with 1 or more private entities for the manufacture of advanced spacesuits, as the Administrator considers appropriate.

(g) BRIEFING.—Not later than 180 days after the date of the enactment of this division, and semiannually thereafter until NASA procures advanced spacesuits under this section, the Administrator shall brief the appropriate committees of Congress on the development plan in subsection (b).

SEC. 2617. ACQUISITION OF DOMESTIC SPACE TRANSPORTATION AND LOGISTICS RESUPPLY SERVICES.

(a) IN GENERAL.—Except as provided in subsection (b), the Administrator shall not enter into any contract with a person or entity that proposes to use, or will use, a foreign launch provider for a commercial service to provide space transportation or logistics resupply for—

(1) the ISS; or

(2) any Government-owned or Government-funded platform in Earth orbit or cislunar space, on the lunar surface, or elsewhere in space.

(b) EXCEPTION.—The Administrator may enter into a contract with a person or an entity that proposes to use, or will use, a foreign launch provider for a commercial service to carry out an activity described in subsection (a) if—

(1) a domestic vehicle or service is unavailable; or

(2) the launch vehicle or service is a contribution by a partner to an international no-exchange-of-funds collaborative effort.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Administrator from entering into 1 or more no-exchange-of-funds collaborative agreements with an international partner in support of the deep space exploration plan of NASA.

SEC. 2618. ROCKET ENGINE TEST INFRASTRUCTURE.

(a) IN GENERAL.—The Administrator shall continue to carry out a program to modernize rocket propulsion test infrastructure at NASA facilities—

(1) to increase capabilities;

(2) to enhance safety;

(3) to support propulsion development and testing; and

(4) to foster the improvement of Government and commercial space transportation and exploration.

(b) PROJECTS.—Projects funded under the program described in subsection (a) may include—

(1) infrastructure and other facilities and systems relating to rocket propulsion test stands and rocket propulsion testing;

(2) enhancements to test facility capacity and flexibility; and

(3) such other projects as the Administrator considers appropriate to meet the goals described in that subsection.

(c) REQUIREMENTS.—In carrying out the program under subsection (a), the Administrator shall—

(1) prioritize investments in projects that enhance test and flight certification capabilities for large thrust-level atmospheric and altitude engines and engine systems, and multi-engine integrated test capabilities;

(2) continue to make underutilized test facilities available for commercial use on a reimbursable basis; and

(3) ensure that no project carried out under this program adversely impacts, delays, or defers testing or other activities associated with facilities used for Government programs, including—

(A) the Space Launch System and the Exploration Upper Stage of the Space Launch System;

(B) in-space propulsion to support exploration missions; or

(C) nuclear propulsion testing.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall preclude a NASA program, including the Space Launch System and the Exploration Upper Stage of the Space Launch System, from using the modernized test infrastructure developed under this section.

(e) WORKING CAPITAL FUND STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report on the use of the authority under section 30102 of title 51, United States Code, to promote increased use of NASA rocket propulsion test infrastructure for research, development, testing, and evaluation activities by other Federal agencies, firms, associations, corporations, and educational institutions.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) An assessment of prior use, if any, of the authority under section 30102 of title 51, United States Code, to improve testing infrastructure.

(B) An analysis of any barrier to implementation of such authority for the purpose of promoting increased use of NASA rocket propulsion test infrastructure.

SEC. 2619. PEARL RIVER MAINTENANCE.

(a) IN GENERAL.—The Administrator shall coordinate with the Chief of the Army Corps of Engineers to ensure the continued navigability of the Pearl River and Little Lake channels sufficient to support NASA barge operations surrounding Stennis Space Center and the Michoud Assembly Facility.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report on efforts under subsection (a).

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation, the Committee on Environment and Public Works, and the Committee on Appropriations of the Senate; and

(2) the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives.

SEC. 2620. VALUE OF INTERNATIONAL SPACE STATION AND CAPABILITIES IN LOW-EARTH ORBIT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit;

(2) low-Earth orbit should be used as a test bed to advance human space exploration and scientific discoveries; and

(3) the ISS is a critical component of economic, commercial, and industrial development in low-Earth orbit.

(b) HUMAN PRESENCE REQUIREMENT.—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the ISS.

SEC. 2621. EXTENSION AND MODIFICATION RELATING TO THE INTERNATIONAL SPACE STATION.

(a) POLICY.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(b) MAINTENANCE OF UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''September 30, 2024'' and inserting ''September 30, 2030''.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section

504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended—

(1) in paragraph (1), in the first sentence—

(A) by striking ''As soon as practicable'' and all that follows through ''2011,'' and inserting ''The''; and

(B) by striking ''September 30, 2024'' and inserting ''September 30, 2030''; and

(2) in paragraph (2), in the third sentence, by striking ''September 30, 2024'' and inserting ''September 30, 2030''.

(d) MAINTENANCE OF USE.—Section 70907 of title 51, United States Code, is amended—

(1) in the section heading, by striking ''**2024**'' and inserting ''**2030**'';

(2) in subsection (a), by striking ''September 30, 2024'' and inserting ''September 30, 2030''; and

(3) in subsection (b)(3), by striking ''September 30, 2024'' and inserting ''September 30, 2030''.

(e) TRANSITION PLAN REPORTS.—Section 50111(c)(2) of title 51, United States Code is amended—

(1) in the matter preceding subparagraph (A), by striking ''2023'' and inserting ''2028''; and

(2) in subparagraph (J), by striking ''2028'' and inserting ''2030''.

(f) ELIMINATION OF INTERNATIONAL SPACE STATION NATIONAL LABORATORY ADVISORY COMMITTEE.—Section 70906 of title 51, United States Code, is repealed.

(g) CONFORMING AMENDMENTS.—Chapter 709 of title 51, United States Code, is amended—

(1) by redesignating section 70907 as section 70906; and

(2) in the table of sections for the chapter, by striking the items relating to sections 70906 and 70907 and inserting the following:

''70906. Maintaining use through at least 2030.''.

SEC. 2621A. TRANSITION STRATEGY FOR THE INTERNATIONAL SPACE STATION.

(a) IN GENERAL.—Not later than 300 days after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a strategy that—

(1) describes the manner in which the Administration will ensure a stepwise transition to an eventual successor platform consistent with the ISS Transition Principles specified in the International Space Station Transition Report issued pursuant to section 50111(c)(2) of title 51, United States Code, on March 30, 2018;

(2) includes capability-driven milestones and timelines leading to such a transition;

(3) takes into account the importance of maintaining workforce expertise, core capabilities, and continuity at the centers of the Administration, including such centers that are primarily focused on human spaceflight;

(4) considers how any transition described in paragraph (1) affects international and commercial partnerships;

(5) presents opportunities for future engagement with—

(A) international partners;

(B) countries with growing spaceflight capabilities, if such engagement is not precluded by other provisions of law;

(C) the scientific community, including the microgravity research community;

(D) the private sector; and

(E) other United States Government users; and

(6) promotes the continued economic development of low-Earth orbit.

(b) IMPLEMENTATION PLAN.—The strategy required by subsection (a) shall include an implementation plan describing the manner in which the Administration plans to carry out such strategy.

(c) REPORT.—Not less frequently than biennially, the Administrator shall submit to the appropriate committees of Congress a report on the implementation of the strategy required by subsection (a).

SEC. 2622. DEPARTMENT OF DEFENSE ACTIVITIES ON INTERNATIONAL SPACE STATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, the Secretary of Defense shall—

(1) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the ISS as of the date of the review; and

(2) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 2623. COMMERCIAL DEVELOPMENT IN LOW-EARTH ORBIT.

(a) STATEMENT OF POLICY.—It is the policy of the United States to encourage the development of a thriving and robust United States commercial sector in low-Earth orbit.

(b) PREFERENCE FOR UNITED STATES COMMERCIAL PRODUCTS AND SERVICES.—The Administrator shall continue to increase the use of assets, products, and services of private entities in the United States to fulfill the low-Earth orbit requirements of the Administration.

(c) NONCOMPETITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Administrator may not offer to a foreign person or a foreign government a spaceflight product or service relating to the ISS, if a comparable spaceflight product or service, as applicable, is offered by a private entity in the United States.

(2) EXCEPTION.—The Administrator may offer a spaceflight product or service relating to the ISS to the government of a country that is a signatory to the Agreement Among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America Concerning Cooperation on the Civil International Space Station, signed at Washington January 29, 1998, and entered into force on March 27, 2001 (TIAS 12927), including an international partner astronaut (as defined in section 50902 of title 51, United States Code) that is sponsored by the government of such a country.

(d) SHORT-DURATION COMMERCIAL MISSIONS.—To provide opportunities for additional transport of astronauts to the ISS and help establish a commercial market in low-Earth orbit, the Administrator may permit short-duration missions to the ISS for commercial passengers on a fully or partially reimbursable basis.

(e) PROGRAM AUTHORIZATION.—

(1) ESTABLISHMENT.—The Administrator shall establish a low-Earth orbit commercial development program to encourage the fullest commercial use and development of space by private entities in the United States.

(2) ELEMENTS.—The program established under paragraph (1) shall, to the maximum extent practicable, include activities—

(A) to stimulate demand for—

(i) space-based commercial research, development, and manufacturing;

(ii) spaceflight products and services; and

(iii) human spaceflight products and services in low-Earth orbit;

(B) to improve the capability of the ISS to accommodate commercial users; and

(C) subject to paragraph (3), to foster the development of commercial space stations and habitats.

(3) COMMERCIAL SPACE STATIONS AND HABITATS.—

(A) PRIORITY.—With respect to an activity to develop a commercial space station or habitat, the Administrator shall give priority to an activity for which a private entity provides a significant share of the cost to develop and operate the activity.

(B) REPORT.—Not later than 30 days after the date that an award or agreement is made to carry out an activity to develop a commercial space station or habitat, the Administrator shall submit to the appropriate committees of Congress a report on the development of the commercial space station or habitat, as applicable, that includes—

(i) a business plan that describes the manner in which the project will—

(I) meet the future requirements of NASA for low-Earth orbit human space-flight services; and

(II) fulfill the cost-share funding prioritization under subparagraph (A); and

(ii) a review of the viability of the operational business case, including—

(I) the level of expected Government participation;

(II) a list of anticipated nongovernmental an international customers and associated contributions; and

(III) an assessment of long-term sustainability for the nongovernmental customers, including an independent assessment of the viability of the market for such commercial services or products.

SEC. 2624. MAINTAINING A NATIONAL LABORATORY IN SPACE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States segment of the International Space Station (as defined in section 70905 of title 51, United States Code), which is designated as a national laboratory under section 70905(b) of title 51, United States Code—

(A) benefits the scientific community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through use of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space;

(3) in maintaining a national microgravity laboratory in space, the United States should make appropriate accommodations for different types of ownership and operation arrangements for the ISS and future space stations;

(4) to the maximum extent practicable, a national microgravity laboratory in space should be maintained in cooperation with international space partners; and

(5) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cislunar space, orbital and suborbital flights, drop towers, and other microgravity testing environments.

(b) REPORT.—The Administrator, in coordination with the National Space Council and other Federal agencies as the Administrator considers appropriate, shall issue a report detailing the feasibility of establishing a microgravity national laboratory federally funded research and development center to

carry out activities relating to the study and use of in-space conditions.

SEC. 2625. INTERNATIONAL SPACE STATION NATIONAL LABORATORY; PROPERTY RIGHTS IN INVENTIONS.

(a) IN GENERAL.—Subchapter III of chapter 201 of title 51, United States Code, is amended by adding at the end the following:

"§ 20150. Property rights in designated inventions

''(a) EXCLUSIVE PROPERTY RIGHTS.—Notwithstanding section 3710a of title 15, chapter 18 of title 35, section 20135, or any other provision of law, a designated invention shall be the exclusive property of a user, and shall not be subject to a Government-purpose license, if—

''(1)(A) the Administration is reimbursed under the terms of the contract for the full cost of a contribution by the Federal Government of the use of Federal facilities, equipment, materials, proprietary information of the Federal Government, or services of a Federal employee during working hours, including the cost for the Administration to carry out its responsibilities under paragraphs (1) and (4) of section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d));

''(B) Federal funds are not transferred to the user under the contract; and

''(C) the designated invention was made (as defined in section 20135(a))—

''(i) solely by the user; or

''(ii)(I) by the user with the services of a Federal employee under the terms of the contract; and

''(II) the Administration is reimbursed for such services under subparagraph (B); or

''(2) the Administrator determines that the relevant field of commercial endeavor is sufficiently immature that granting exclusive property rights to the user is necessary to help bolster demand for products and services produced on crewed or crew-tended space stations.

''(b) NOTIFICATION TO CONGRESS.—On completion of a determination made under paragraph (2), the Administrator shall submit to the appropriate committees of Congress a notification of the determination that includes a written justification.

''(c) PUBLIC AVAILABILITY.—A determination or part of such determination under paragraph (1) shall be made available to the public on request, as required under section 552 of title 5, United States Code (commonly referred to as the 'Freedom of Information Act').

''(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the rights of the Federal Government, including property rights in inventions, under any contract, except in the case of a written contract with the Administration or the ISS management entity for the performance of a designated activity.

''(e) DEFINITIONS.—In this section—

''(1) CONTRACT.—The term 'contract' has the meaning giving the term in section 20135(a).

''(2) DESIGNATED ACTIVITY.—The term 'designated activity' means any non-NASA scientific use of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354).

''(3) DESIGNATED INVENTION.—The term 'designated invention' means any invention, product, or service conceived or first reduced to practice by any person in the performance of a designated activity under a written contract with the Administration or the ISS management entity.

''(4) FULL COST.—The term 'full cost' means the cost of transporting materials or passengers to and from the ISS, including any power needs, the disposal of mass, crew member time, stowage, power on the ISS, data downlink, crew consumables, and life support.

''(5) GOVERNMENT-PURPOSE LICENSE.—The term 'Government-purpose license' means the reservation by the Federal Government of an irrevocable, nonexclusive, nontransferable, royalty-free license for the use of an invention throughout the world by or on behalf of the United States or any foreign government pursuant to a treaty or agreement with the United States.

''(6) ISS MANAGEMENT ENTITY.—The term 'ISS management entity' means the organization with which the Administrator enters into a cooperative agreement under section 504(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(a)).

''(7) USER.—The term 'user' means a person, including a nonprofit organization or small business firm (as such terms are defined in section 201 of title 35), or class of persons that enters into a written contract with the Administration or the ISS management entity for the performance of designated activities.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 201 of title 51, United States Code, is amended by inserting after the item relating to section 20149 the following:

''20150. Property rights in designated inventions.''.

SEC. 2626. DATA FIRST PRODUCED DURING NON-NASA SCIENTIFIC USE OF THE ISS NATIONAL LABORATORY.

(a) DATA RIGHTS.—Subchapter III of chapter 201 of title 51, United States Code, as amended by section 2625, is further amended by adding at the end the following:

"§ 20151. Data rights

''(a) NON-NASA SCIENTIFIC USE OF THE ISS NATIONAL LABORATORY.—The Federal Government may not use or reproduce, or disclose outside of the Government, any data first produced in the performance of a designated activity under a written contract with the Administration or the ISS management entity, unless—

''(1) otherwise agreed under the terms of the contract with the Administration or the ISS management entity, as applicable;

''(2) the designated activity is carried out with Federal funds;

''(3) disclosure is required by law;

''(4) the Federal Government has rights in the data under another Federal contract, grant, cooperative agreement, or other transaction; or

''(5) the data is—

''(A) otherwise lawfully acquired or independently developed by the Federal Government;

''(B) related to the health and safety of personnel on the ISS; or

''(C) essential to the performance of work by the ISS management entity or NASA personnel.

''(b) DEFINITIONS.—In this section:

''(1) CONTRACT.—The term 'contract' has the meaning given the term under section 20135(a).

''(2) DATA.—

''(A) IN GENERAL.—The term 'data' means recorded information, regardless of form or the media on which it may be recorded.

''(B) INCLUSIONS.—The term 'data' includes technical data and computer software.

''(C) EXCLUSIONS.—The term 'data' does not include information incidental to contract administration, such as financial, administrative, cost or pricing, or management information.

''(3) DESIGNATED ACTIVITY.—The term 'designated activity' has the meaning given the term in section 20150.

''(4) ISS MANAGEMENT ENTITY.—The term 'ISS management entity' has the meaning given the term in section 20150.''.

(b) SPECIAL HANDLING OF TRADE SECRETS OR CONFIDENTIAL INFORMATION.—Section 20131(b)(2) of title 51, United States Code, is amended to read as follows:

''(2) INFORMATION DESCRIBED.—

''(A) ACTIVITIES UNDER AGREEMENT.—Information referred to in paragraph (1) is information that—

''(i) results from activities conducted under an agreement entered into under subsections (e) and (f) of section 20113; and

''(ii) would be a trade secret or commercial or financial information that is privileged or confidential within the meaning of section 552(b)(4) of title 5 if the information had been obtained from a non-Federal party participating in such an agreement.

''(B) CERTAIN DATA.—Information referred to in paragraph (1) includes data (as defined in section 20151) that—

''(i) was first produced by the Administration in the performance of any designated activity (as defined in section 20150); and

''(ii) would be a trade secret or commercial or financial information that is privileged or confidential within the meaning of section 552(b)(4) of title 5 if the data had been obtained from a non-Federal party.''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 201 of title 51, United States Code, as amended by section 2625, is further amended by inserting after the item relating to section 20150 the following:

''20151. Data rights.''.

SEC. 2627. PAYMENTS RECEIVED FOR COMMERCIAL SPACE-ENABLED PRODUCTION ON THE ISS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Administrator should determine a threshold for NASA to recover the costs of supporting the commercial development of products or services aboard the ISS, through the negotiation of agreements, similar to agreements made by other Federal agencies that support private sector innovation; and

(2) the amount of such costs that to be recovered or profits collected through such agreements should be applied by the Administrator through a tiered process, taking into consideration the relative maturity and profitability of the applicable product or service.

(b) IN GENERAL.—Subchapter III of chapter 201 of title 51, United States Code, as amended by section 2626, is further amended by adding at the end the following:

"§ 20152. Payments received for commercial space-enable production

''(a) ANNUAL REVIEW.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, and annually thereafter, the Administrator shall review the profitability of any partnership with a private entity under a contract in which the Administrator—

''(A) permits the use of the ISS by such private entities to produce a commercial product or service; and

''(B) provides the total unreimbursed cost of a contribution by the Federal Government for the use of Federal facilities, equipment, materials, proprietary information of the Federal Government, or services of a Federal employee during working hours, including the cost for the Administration to carry out its responsibilities under paragraphs (1) and (4) of section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)).

''(2) NEGOTIATION OF REIMBURSEMENTS.—Subject to the review described in paragraph

(1), the Administrator shall seek to enter into an agreement to negotiate reimbursements for payments received, or portions of profits created, by any mature, profitable private entity described in that paragraph, as appropriate, through a tiered process that reflects the profitability of the relevant product or service.

''(3) USE OF FUNDS.—Amounts received by the Administrator in accordance with an agreement under paragraph (2) shall be used by the Administrator in the following order of priority:

''(A) To defray the operating cost of the ISS.

''(B) To develop, implement, or operate future low-Earth orbit platforms or capabilities.

''(C) To develop, implement, or operate future human deep space platforms or capabilities.

''(D) Any other costs the Administrator considers appropriate.

''(4) REPORT.—On completion of the first annual review under paragraph (1), and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report that includes a description of the results of the annual review, any agreement entered into under this section, and the amounts recouped or obtained under any such agreement.

''(b) LICENSING AND ASSIGNMENT OF INVENTIONS.—Notwithstanding sections 3710a and 3710c of title 15 and any other provision of law, after payment in accordance with subsection (A)(i) of such section 3710c(a)(1)(A)(i) to the inventors who have directly assigned to the Federal Government their interests in an invention under a written contract with the Administration or the ISS management entity for the performance of a designated activity, the balance of any royalty or other payment received by the Administrator or the ISS management entity from licensing and assignment of such invention shall be paid by the Administrator or the ISS management entity, as applicable, to the Space Exploration Fund.

''(c) SPACE EXPLORATION FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the 'Space Exploration Fund' (referred to in this subsection as the 'Fund'), to be administered by the Administrator.

''(2) USE OF FUND.—The Fund shall be available to carry out activities described in subsection (a)(3).

''(3) DEPOSITS.—There shall be deposited in the Fund—

''(A) amounts appropriated to the Fund;

''(B) fees and royalties collected by the Administrator or the ISS management entity under subsections (a) and (b); and

''(C) donations or contributions designated to support authorized activities.

''(4) RULE OF CONSTRUCTION.—Amounts available to the Administrator under this subsection shall be—

''(A) in addition to amounts otherwise made available for the purpose described in paragraph (2); and

''(B) available for a period of 5 years, to the extent and in the amounts provided in annual appropriation Acts.

''(d) DEFINITIONS.—

''(1) IN GENERAL.—In this section, any term used in this section that is also used in section 20150 shall have the meaning given the term in that section.

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

''(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

''(B) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 201 of title 51, United States Code, as amended by section and 2626, is further amended by inserting after the item relating to section 20151 the following:

''20152. Payments received for commercial space-enabled production.''.

SEC. 2628. STEPPING STONE APPROACH TO EXPLORATION.

(a) IN GENERAL.—Section 70504 of title 51, United States Code, is amended to read as follows:

''§ 70504. Stepping stone approach to exploration

''(a) IN GENERAL.—The Administrator, in sustainable steps, may conduct missions to intermediate destinations, such as the Moon, in accordance with section 20302(b), and on a timetable determined by the availability of funding, in order to achieve the objective of human exploration of Mars specified in section 202(b)(5) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(b)(5)), if the Administrator—

''(1) determines that each such mission demonstrates or advances a technology or operational concept that will enable human missions to Mars; and

''(2) incorporates each such mission into the human exploration roadmap under section 432 of the National Aeronautics and Space Administration Transition Authorization Act of 2017 (Public Law 115–10; 51 U.S.C. 20302 note).

''(b) CISLUNAR SPACE EXPLORATION ACTIVITIES.—In conducting a mission under subsection (a), the Administrator shall—

''(1) use a combination of launches of the Space Launch System and space transportation services from United States commercial providers, as appropriate, for the mission;

''(2) plan for not fewer than 1 Space Launch System launch annually beginning after the first successful crewed launch of Orion on the Space Launch System; and

''(3) establish an outpost in orbit around the Moon that—

''(A) demonstrates technologies, systems, and operational concepts directly applicable to the space vehicle that will be used to transport humans to Mars;

''(B) has the capability for periodic human habitation; and

''(C) can function as a point of departure, return, or staging for Administration or nongovernmental or international partner missions to multiple locations on the lunar surface or other destinations.

''(c) COST-EFFECTIVENESS.—To maximize the cost-effectiveness of the long-term space exploration and utilization activities of the United States, the Administrator shall take all necessary steps, including engaging nongovernmental and international partners, to ensure that activities in the Administration's human space exploration program are balanced in order to help meet the requirements of future exploration and utilization activities leading to human habitation on the surface of Mars.

''(d) COMPLETION.—Within budgetary considerations, once an exploration-related project enters its development phase, the Administrator shall seek, to the maximum extent practicable, to complete that project without undue delay.

''(e) INTERNATIONAL PARTICIPATION.—To achieve the goal of successfully conducting a crewed mission to the surface of Mars, the Administrator shall invite the partners in the ISS program and other nations, as appropriate, to participate in an international initiative under the leadership of the United States.''.

(b) DEFINITION OF CISLUNAR SPACE.—Section 10101 of title 51, United States Code, is amended by adding at the end the following:

''(3) CISLUNAR SPACE.—The term 'cislunar space' means the region of space beyond low-Earth orbit out to and including the region around the surface of the Moon.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18302) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate 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.

''(3) CISLUNAR SPACE.—The term 'cislunar space' means the region of space beyond low-Earth orbit out to and including the region around the surface of the Moon.''.

SEC. 2628A. HUMAN SPACE FACILITIES IN AND BEYOND LOW-EARTH ORBIT.

(a) HUMAN SPACE FACILITY DEFINED.—In this section, the term ''human space facility'' means a structure for use in or beyond low-Earth orbit that supports, or has the potential to support, human life.

(b) SENSE OF CONGRESS.—It is the sense of Congress that human space facilities play a significant role in the long-term pursuit by the Administration of the exploration goals under section 202(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(a)).

(c) REPORT ON CREWED AND UNCREWED HUMAN SPACE FACILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report on the potential development of 1 or more human space facilities.

(2) CONTENTS.—With respect to the potential development of each human space facility referred to in paragraph (1), the report required under such paragraph shall include a description of the following:

(A) The capacity of the human space facility to advance, enable, or complement human exploration of the solar system, including human exploration of the atmosphere and the surface of celestial bodies.

(B) The role of the human space facility as a staging, logistics, and operations hub in exploration architecture.

(C) The capacity of the human space facility to support the research, development, testing, validation, operation, and launch of space exploration systems and technologies.

(D) Opportunities and strategies for commercial operation or public-private partnerships with respect to the human space facility that protect taxpayer interests and foster competition.

(E) The role of the human space facility in encouraging further crewed and uncrewed exploration investments.

(F) The manner in which the development and maintenance of the International Space Station would reduce the cost of, and time necessary for, the development of the human space facility.

(d) CISLUNAR SPACE EXPLORATION ACTIVITIES.—The Administrator shall establish an outpost in orbit around the Moon that—

(1) demonstrates technologies, systems, and operational concepts directly applicable to the space vehicle that will be used to transport humans to Mars;

(2) has the capability for periodic human habitation; and

(3) can function as a point of departure, return, or staging for Administration or nongovernmental or international partner missions to multiple locations on the lunar surface or other destinations.

SEC. 2628B. REPORT ON RESEARCH AND DEVELOPMENT RELATING TO LIFE-SUSTAINING TECHNICAL SYSTEMS AND PLAN FOR ACHIEVING POWER SUPPLY.

Not later than 1 year after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress—

(1) a report on the research and development of the Administration relating to technical systems for the self-sufficient sustainment of life in and beyond low-Earth orbit; and

(2) a plan for achieving a power supply on the Moon that includes—

(A) a consideration of the resources necessary to accomplish such plan in the subsequent—

(i) 1 to 3 years;

(ii) 3 to 5 years; and

(iii) 5 to 10 years;

(B) collaboration and input from industry and the Department of Energy, specifically the Advanced Research Projects Agency–Energy;

(C) the use of a variety of types of energy, including solar and nuclear; and

(D) a detailed description of the resources necessary for the Administration to build a lunar power facility with human-tended maintenance requirements during the subsequent 10-year period.

SA 1858. Mr. CORNYN (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 349, beginning on line 23, strike ''expended.'' and all that follows through page 350, line 13 and insert the following:

expended.''.

SA 1859. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE IV—INDIVIDUAL TAX PROVISIONS MADE PERMANENT

SEC. ____01. FINDINGS.

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

(1) Innovation in the United States has been and will continue to be the main driver of technological progress and economic growth.

(2) Taxation, in the form of both personal income taxes and corporate income taxes, matters for innovation along the intensive and extensive margins and both at the micro and macro levels.

(3) From 1900 to 2000, States with the most innovations also witnessed the fastest growth.

(4) Globally, the evidence demonstrates that countries with an overall lower tax burden will enjoy a higher level of innovation, greater quality of innovation, and more robust inventive activity.

(5) Efficient tax policy can provide effective incentives for many economic activities, including innovation.

(6) Inefficient tax policy can create heavy, deadweight burdens, hurt incentives, and slow down innovation.

(7) High rates of corporate and personal income taxation negatively affect the quantity, quality, and location of innovation at the individual, organizational, and State level.

SEC. ____02. PERMANENT MODIFICATION OF INDIVIDUAL RATE BRACKETS.

(a) MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING SPOUSES.—The table contained in subsection (a) of section 1 of the Internal Revenue Code of 1986 is amended to read as follows:

"If taxable income is:	The tax is:
Not over $19,050	10% of taxable income.
Over $19,050 but not over $77,400	$1,905, plus 12% of the excess over $19,050.
Over $77,400 but not over $165,000	$8,907, plus 22% of the excess over $77,400.
Over $165,000 but not over $315,000	$28,179, plus 24% of the excess over $165,000.
Over $315,000 but not over $400,000	$64,179, plus 32% of the excess over $315,000.
Over $400,000 but not over $600,000	$91,379, plus 35% of the excess over $400,000.
Over $600,000	$161,379, plus 37% of the excess over $600,000.''.

(b) HEADS OF HOUSEHOLDS.—The table contained in subsection (b) of section 1 of the Internal Revenue Code of 1986 is amended to read as follows:

"If taxable income is:	The tax is:
Not over $13,600	10% of taxable income.
Over $13,600 but not over $51,800	$1,360, plus 12% of the excess over $13,600.
Over $51,800 but not over $82,500	$5,944, plus 22% of the excess over $51,800.
Over $82,500 but not over $157,500	$12,698, plus 24% of the excess over $82,500.
Over $157,500 but not over $200,000	$30,698, plus 32% of the excess over $157,500.
Over $200,000 but not over $500,000	$44,298, plus 35% of the excess over $200,000.
Over $500,000	$149,298, plus 37% of the excess over $500,000.''.

(c) UNMARRIED INDIVIDUALS OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLDS.—The table contained in subsection (c) of section 1 of the Internal Revenue Code of 1986 is amended to read as follows:

"If taxable income is:	The tax is:
Not over $9,525	10% of taxable income.
Over $9,525 but not over $38,700	$952.50, plus 12% of the excess over $9,525.
Over $38,700 but not over $82,500	$4,453.50, plus 22% of the excess over $38,700.
Over $82,500 but not over $157,500	$14,089.50, plus 24% of the excess over $82,500.
Over $157,500 but not over $200,000	$32,089.50, plus 32% of the excess over $157,500.
Over $200,000 but not over $500,000	$45,689.50, plus 35% of the excess over $200,000.
Over $500,000	$150,689.50, plus 37% of the excess over $500,000.''.

(d) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—The table contained in subsection (d) of section 1 of the Internal Revenue Code of 1986 is amended to read as follows:

"If taxable income is:	The tax is:
Not over $9,525	10% of taxable income.
Over $9,525 but not over $38,700	$952.50, plus 12% of the excess over $9,525.
Over $38,700 but not over $82,500	$4,453.50, plus 22% of the excess over $38,700.
Over $82,500 but not over $157,500	$14,089.50, plus 24% of the excess over $82,500.
Over $157,500 but not over $200,000	$32,089.50, plus 32% of the excess over $157,500.
Over $200,000 but not over $300,000	$45,689.50, plus 35% of the excess over $200,000.
Over $300,000	$80,689.50, plus 37% of the excess over $300,000.''.

(e) ESTATES AND TRUSTS.—The table contained in subsection (e) of section 1 of the Internal Revenue Code of 1986 is amended to read as follows:

"If taxable income is:	The tax is:
Not over $2,550	10% of taxable income.
Over $2,550 but not over $9,150	$255, plus 24% of the excess over $2,550.
Over $9,150 but not over $12,500	$1,839, plus 35% of the excess over $9,150.
Over $12,500	$3,011.50, plus 37% of the excess over $12,500.''.

(f) ADJUSTMENT FOR INFLATION.—Subsection (f) of section 1 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''1993'' in paragraph (1) and inserting ''2018'',

(2) by striking ''determined—'' and all that follows in paragraph (2)(A) and inserting ''determined by substituting '2017' for '2016' in paragraph (3)(A)(ii),'',

(3) by striking ''a married individual filing a separate return'' in paragraph (7)(B) and inserting ''any unmarried individual other than a surviving spouse or head of household'',

(4) by striking ''MARRIED INDIVIDUALS FILING SEPARATELY'' in the heading of subparagraph (B) of paragraph (7) and inserting ''CERTAIN UNMARRIED INDIVIDUALS'', and

(5) by striking paragraph (8).

(g) CAPITAL GAINS BRACKETS.—Subsection (h) of section 1 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''which would (without regard to this paragraph) be taxed at a rate below 25 percent'' in paragraph (1)(B)(i) and inserting ''below the maximum zero rate amount'',

(2) by striking ''which would (without regard to this paragraph) be taxed at a rate below 39.6 percent'' in paragraph (1)(C)(ii)(I) and inserting ''below the maximum 15-percent rate amount'', and

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

''(12) MAXIMUM AMOUNTS DEFINED.—For purposes of this subsection—

''(A) MAXIMUM ZERO RATE AMOUNT.—The maximum zero rate amount shall be—

''(i) in the case of a joint return or surviving spouse, $77,200,

''(ii) in the case of an individual who is a head of household (as defined in section 2(b)), $51,700,

''(iii) in the case of any other individual (other than an estate or trust), an amount equal to ½ of the amount in effect for the taxable year under clause (i), and

''(iv) in the case of an estate or trust, $2,600.

''(B) MAXIMUM 15-PERCENT RATE AMOUNT.—The maximum 15-percent rate amount shall be—

''(i) in the case of a joint return or surviving spouse, $479,000 (½ such amount in the case of a married individual filing a separate return),

''(ii) in the case of an individual who is the head of a household (as defined in section 2(b)), $452,400,

''(iii) in the case of any other individual (other than an estate or trust), $425,800, and

''(iv) in the case of an estate or trust, $12,700.

''(C) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2018, each of the dollar amounts in subparagraphs (A) and (B) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under subsection (f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2017' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

If any increase under this subparagraph is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.''.

(h) CONFORMING AMENDMENTS.—

(1) Section 1 of the Internal Revenue Code of 1986 is amended by striking subsections (i) and (j).

(2) Section 3402(q)(1) of such Code is amended by striking ''third lowest'' and inserting ''fourth lowest''.

(i) SECTION 15 NOT TO APPLY.—Section 15 of the Internal Revenue Code of 1986 shall not apply to any change in a rate of tax by reason of this section.

(j) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ____03. PERMANENT EXTENSION OF DEDUCTION FOR QUALIFIED BUSINESS INCOME OF PASS-THRU ENTITIES.

(a) IN GENERAL.—Section 199A of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ____04. PERMANENT EXTENSION OF LIMITATION ON LOSSES FOR TAXPAYERS OTHER THAN CORPORATIONS.

(a) IN GENERAL.—Paragraph (1) of section 461(l) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) LIMITATION.—In the case of taxable year of a taxpayer other than a corporation, any excess business loss of the taxpayer for the taxable year shall not be allowed.''.

(b) CONFORMING AMENDMENT.—Section 461 of the Internal Revenue Code of 1986 is amended by striking subsection (j) (relating to limitation on excess farm losses of certain taxpayers).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ____05. PERMANENT EXTENSION OF INCREASE IN STANDARD DEDUCTION.

(a) IN GENERAL.—Section 63(c)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''$4,400'' in subparagraph (B) and inserting ''$18,800'', and

(2) by striking ''$3,000'' in subparagraph (C) and inserting ''$12,000''.

(b) INFLATION ADJUSTMENT.—Paragraph (4) of section 63(c) of the Internal Revenue Code of 1986 is amended to read as follows:

''(4) ADJUSTMENTS FOR INFLATION.—

''(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2018, the $18,000 and $12,000 amounts in subparagraph (A) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting '2017' for '2016' in subparagraph (A)(ii) thereof.

''(B) CERTAIN AMOUNTS.—In the case of any taxable year beginning in a calendar year after 1988, each dollar amount contained in paragraph (5) or subsection (f) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting for 'calendar year 2016' in subparagraph (A)(ii) thereof—

''(I) 'calendar year 1987' in the case of the dollar amounts contained in paragraph (5)(A) or subsection (f), and

''(II) 'calendar year 1997' in the case of the dollar amount contained in paragraph (5)(B).''.

(c) CONFORMING AMENDMENT.—Section 63(c) of the Internal Revenue Code of 1986 is amended by striking paragraph (7).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ____06. PERMANENT INCREASE AND MODIFICATION OF CHILD TAX CREDIT.

(a) INCREASE IN CREDIT AMOUNT.—Section 24(a) of the Internal Revenue Code of 1986 is amended by striking ''$1,000'' and inserting ''$2,000''.

(b) LIMITATION.—Paragraph (2) of section 24(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) THRESHOLD AMOUNT.—For purposes of paragraph (1), the term 'threshold amount' means—

''(A) $400,000 in the case of a joint return, and

''(B) $200,000 in any other case.''.

(c) PARTIAL CREDIT ALLOWED FOR CERTAIN OTHER DEPENDENTS.—Subsection (h) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

''(h) PARTIAL CREDIT ALLOWED FOR CERTAIN OTHER DEPENDENTS.—

''(1) IN GENERAL.—The credit determined under subsection (a) shall be increased by $500 for each dependent of the taxpayer (as defined in section 7706) other than a qualifying child described in subsection (c).

''(2) EXCEPTION FOR CERTAIN NONCITIZENS.—Paragraph (1) shall not apply with respect to any individual who would not be a dependent if subparagraph (A) of section 7706(b)(3) were applied without regard to all that follows 'resident of the United States'.

''(3) CERTAIN QUALIFYING CHILDREN.—In the case of any qualifying child with respect to whom a credit is not allowed under this section by reason of subsection (e)(1), such child shall be treated as a dependent to whom subparagraph (A) applies.''.

(d) MAXIMUM AMOUNT OF REFUNDABLE CREDIT.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (2) the following new paragraph:

''(3) LIMITATION.—

''(A) IN GENERAL.—The amount determined under paragraph (1)(A) with respect to any qualifying child shall not exceed $1,400, and such paragraph shall be applied without regard to subsection (h).

''(B) ADJUSTMENT FOR INFLATION.—In the case of a taxable year beginning after 2018, the $1,400 amount in subparagraph (A) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting '2017' for '2016' in subparagraph (A)(ii) thereof.

If any increase under this clause is not a multiple of $100, such increase shall be rounded to the next lowest multiple of $100.''.

(e) EARNED INCOME THRESHOLD FOR REFUNDABLE CREDIT.—Section 24(d)(1)(B) of the Internal Revenue Code of 1986 is amended by striking ''$3,000'' and inserting ''$2,500''.

(f) SOCIAL SECURITY NUMBER REQUIRED.—Paragraph (1) of section 24(e) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) QUALIFYING CHILD SOCIAL SECURITY NUMBER REQUIREMENT.—No credit shall be allowed under this section to a taxpayer with respect to any qualifying child unless the taxpayer includes the name and social security number of such child on the return of tax for the taxable year. For purposes of the preceding sentence, the term 'social security number' means a social security number issued to an individual by the Social Security Administration, but only if the social security number is issued—

''(A) to a citizen of the United States or pursuant to subclause (I) (or that portion of subclause (III) that relates to subclause (I)) of section 205(c)(2)(B)(i) of the Social Security Act, and

''(B) before the due date for such return.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SEC. ____07. PERMANENT EXTENSION OF INCREASED LIMITATION FOR CERTAIN CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Section 170(b)(1)(G) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''for any taxable year beginning after December 31, 2017, and before January 1, 2026,'' in clause (i),

(2) by striking ''for any taxable year described in such clause'' in clause (ii), and

(3) by striking ''For each taxable year described in clause (i), and each taxable year to which any contribution under this subparagraph is carried over under clause (ii), subparagraph (A)'' in clause (iii) and inserting ''Subparagraph (A)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions in taxable years beginning after December 31, 2025.

SEC. ____08. PERMANENT EXTENSION OF INCREASED CONTRIBUTIONS TO ABLE ACCOUNTS.

(a) IN GENERAL.—Section 529A(b)(2)(B)(ii) of the Internal Revenue Code of 1986 is amended by striking ''before January 1, 2026''.

(b) ALLOWANCE OF SAVERS CREDIT.—Section 25B(d)(1)(D) of the Internal Revenue Code of 1986 is amended by striking ''before January 1, 2026,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. ____09. PERMANENT EXTENSION OF ROLLOVERS TO ABLE PROGRAMS FROM 529 PROGRAMS.

(a) IN GENERAL.—Section 529(c)(3)(C)(i)(III) is amended by striking ''before January 1, 2026,''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after the date of the enactment of this Act.

SEC. ____10. PERMANENT EXTENSION OF TREATMENT OF CERTAIN INDIVIDUALS PERFORMING SERVICES IN THE SINAI PENINSULA OF EGYPT.

(a) IN GENERAL.—Subsection (c) of section 11026 of Public Law 115–97 is amended—

(1) by striking ''beginning before January 1, 2026'' in paragraph (1)(B), and

(2) by striking ''beginning before January 1, 2026'' in paragraph (2)(B).

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. ____11. PERMANENT EXTENSION OF TREATMENT OF STUDENT LOANS DISCHARGED ON ACCOUNT OF DEATH OR DISABILITY.

(a) IN GENERAL.—Subparagraph (A) of section 108(f)(5) of the Internal Revenue Code of 1986 is amended by striking ''and before January 1, 2026,''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of indebtedness after December 31, 2020.

SEC. ____12. REPEAL OF DEDUCTION FOR PERSONAL EXEMPTIONS.

(a) IN GENERAL.—Part V of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is hereby repealed.

(b) DEFINITION OF DEPENDENT RETAINED.—Section 152 of the Internal Revenue Code of 1986, prior to repeal by subsection (a), is hereby redesignated as section 7706 of such Code and moved to the end of chapter 79 of such Code.

(c) APPLICATION TO ESTATES AND TRUSTS.—Subparagraph (C) of section 642(b)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''the exemption amount under section 151(d)'' in clause (i) and inserting ''$4,150'', and

(2) by striking clause (iii) and inserting the following:

''(iii) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2018, the $4,150 amount in clause (i) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable begins, determined by substituting '2017' for '2016' in subparagraph (A)(ii) thereof.

If any increase determined under the preceding sentence is not a multiple of $100, such increase shall be rounded to the next lowest multiple of $100.''.

(d) APPLICATION TO NONRESIDENT ALIENS.—Section 873(b) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(e) MODIFICATION OF RETURN REQUIREMENT.—

(1) IN GENERAL.—Section 6012 of the Internal Revenue Code of 1986 is amended—

(A) by striking paragraph (1) of subsection (a) and inserting the following:

''(1) Every individual who has gross income for the taxable year, except that a return shall not be required of—

''(A) an individual who is not married (determined by applying section 7703) and who has gross income for the taxable year which does not exceed the standard deduction applicable to such individual for such taxable year under section 63, or

''(B) an individual entitled to make a joint return if—

''(i) the gross income of such individual, when combined with the gross income of such individual's spouse, for the taxable year does not exceed the standard deduction which would be applicable to the taxpayer for such taxable year under section 63 if such individual and such individual's spouse made a joint return,

''(ii) such individual and such individual's spouse have the same household as their home at the close of the taxable year,

''(iii) such individual's spouse does not make a separate return, and

''(iv) neither such individual nor such individual's spouse is an individual described in section 63(c)(2) who has income (other than earned income) in excess of the amount in effect under section 63(c)(2)(A).'', and

(B) by striking subsection (f).

(2) BANKRUPTCY ESTATES.—Paragraph (8) of section 6012(a) of such Code is amended by striking ''the sum of the exemption amount plus the basic standard deduction under section 63(c)(2)(D)'' and inserting ''the standard deduction in effect under section 63(c)(1)(B)''.

(f) CONFORMING AMENDMENTS.—

(1) Section 2(a)(1)(B) of the Internal Revenue Code of 1986 is amended by striking ''a dependent'' and all that follows through ''section 151'' and inserting ''a dependent who (within the meaning of section 7706, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) is a son, stepson, daughter, or stepdaughter of the taxpayer''.

(2) Section 36B(b)(2)(A) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(3) Section 36B(b)(3)(B) of such Code is amended by striking ''unless a deduction is allowed under section 151 for the taxable year with respect to a dependent'' in the flush matter at the end and inserting ''unless the taxpayer has a dependent for the taxable year''.

(4) Section 36B(c)(1)(D) of such Code is amended by striking ''with respect to whom a deduction under section 151 is allowable to another taxpayer'' and inserting ''who is a dependent of another taxpayer''.

(5) Section 36B(d)(1) of such Code is amended by striking ''equal to the number of individuals for whom the taxpayer is allowed a deduction under section 151 (relating to allowance of deduction for personal exemptions) for the taxable year'' and inserting ''the sum of 1 (2 in the case of a joint return) plus the number of the taxpayer's dependents for the taxable year''.

(6) Section 36B(e)(1) of such Code is amended by striking ''1 or more individuals for whom a taxpayer is allowed a deduction under section 151 (relating to allowance of deduction for personal exemptions) for the taxable year (including the taxpayer or his spouse)'' and inserting ''1 or more of the taxpayer, the taxpayer's spouse, or any dependent of the taxpayer''.

(7) Section 42(i)(3)(D)(ii)(I) of such Code is amended—

(A) by striking ''section 152'' and inserting ''section 7706'', and

(B) by striking the period at the end and inserting a comma.

(8) Section 63(b) of such Code is amended by striking ''minus—'' and all that follows and inserting ''minus the standard deduction.''.

(9) Section 63(d) of such Code is amended by striking ''other than—'' and all that follows and inserting ''other than the deductions allowable in arriving at adjusted gross income.''.

(10) Section 72(t)(2)(D)(i)(III) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(11) Section 72(t)(7)(A)(iii) of such Code is amended by striking ''section 152(f)(1)'' and inserting ''section 7706(f)(1)''.

(12) Section 105(b) of such Code is amended—

(A) by striking ''as defined in section 152'' and inserting ''as defined in section 7706'',

(B) by striking ''section 152(f)(1)'' and inserting ''section 7706(f)(1)'', and

(C) by striking ''section 152(e)'' and inserting ''section 7706(e)''.

(13) Section 105(c)(1) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(14) Section 125(e)(1)(D) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(15) Section 129(c) of such Code is amended—

(A) by striking ''with respect to whom, for such taxable year, a deduction is allowable under section 151(c) (relating to personal exemptions for dependents) to'' in paragraph (1) and inserting ''who is a dependent of'', and

(B) by striking ''section 152(f)(1)'' in paragraph (2) and inserting ''section 7706(f)(1)''.

(16) Section 132(h)(2)(B) of such Code is amended—

(A) by striking ''section 152(f)(1)'' and inserting ''section 7706(f)(1)'', and

(B) by striking ''section 152(e)'' and inserting ''section 7706(e)''.

(17) Section 139D(c)(5) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(18) Section 162(l)(1)(D) of such Code is amended by striking ''section 152(f)(1)'' and inserting ''section 7706(f)(1)''.

(19) Section 170(g)(1) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(20) Section 170(g)(3) of such Code is amended by striking ''section 152(d)(2)'' and inserting ''section 7706(d)(2)''.

(21) Section 172(d) of such Code is amended by striking paragraph (3).

(22) Section 220(b)(6) of such Code is amended by striking ''with respect to whom a deduction under section 151 is allowable to'' and inserting ''who is a dependent of''.

(23) Section 220(d)(2)(A) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(24) Section 223(b)(6) of such Code is amended by striking ''with respect to whom a deduction under section 151 is allowable to'' and inserting ''who is a dependent of''.

(25) Section 223(d)(2)(A) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(26) Section 401(h) of such Code is amended by striking ''section 152(f)(1)'' in the last sentence and inserting ''section 7706(f)(1)''.

(27) Section 402(l)(4)(D) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(28) Section 409A(a)(2)(B)(ii)(I) of such Code is amended by striking ''section 152(a)'' and inserting ''section 7706(a)''.

(29) Section 501(c)(9) of such Code is amended by striking ''section 152(f)(1)'' and inserting ''section 7706(f)(1)''.

(30) Section 529(e)(2)(B) of such Code is amended by striking ''section 152(d)(2)'' and inserting ''section 7706(d)(2)''.

(31) Section 703(a)(2) of such Code is amended by striking subparagraph (A) and by redesignating subparagraphs (B) through (F) as subparagraphs (A) through (E), respectively.

(32) Section 874 of such Code is amended by striking subsection (b) and by redesignating subsection (c) as subsection (b).

(33) Section 891 of such Code is amended by striking ''under section 151 and''.

(34) Section 904(b) of such Code is amended by striking paragraph (1).

(35) Section 931(b)(1) of such Code is amended by striking ''(other than the deduction under section 151, relating to personal exemptions)''.

(36) Section 933 of such Code is amended—

(A) by striking ''(other than the deduction under section 151, relating to personal exemptions)'' in paragraph (1), and

(B) by striking ''(other than the deduction for personal exemptions under section 151)'' in paragraph (2).

(37) Section 1212(b)(2)(B)(ii) of such Code is amended to read as follows:

''(ii) in the case of an estate or trust, the deduction allowed for such year under section 642(b).''.

(38) Section 1361(c)(1)(C) of such Code is amended by striking ''section 152(f)(1)(C)'' and inserting ''section 7706(f)(1)(C)''.

(39) Section 1402(a) of such Code is amended by striking paragraph (7).

(40) Section 2032A(c)(7)(D) of such Code is amended by striking ''section 152(f)(2)'' and inserting ''section 7706(f)(2)''.

(41) Section 3402(m)(1) of such Code is amended by striking ''other than the deductions referred to in section 151 and''.

(42) Section 3402(r)(2) of such Code is amended by striking ''the sum of—'' and all that follows and inserting ''the standard deduction in effect under section 63(c)(1)(B).''.

(43) Section 5000A(b)(3)(A) of such Code is amended by striking ''section 152'' and inserting ''section 7706''.

(44) Section 5000A(c)(4)(A) of such Code is amended by striking ''the number of individuals for whom the taxpayer is allowed a deduction under section 151 (relating to allowance of deduction for personal exemptions) for the taxable year'' and inserting ''the sum of 1 (2 in the case of a joint return) plus the number of the taxpayer's dependents for the taxable year''.

(45) Section 6013(b)(3)(A) of such Code is amended—

(A) by striking ''had less than the exemption amount of gross income'' in clause (ii) and inserting ''had no gross income'',

(B) by striking ''had gross income of the exemption amount or more'' in clause (iii) and inserting ''had any gross income'', and

(C) by striking the flush language following clause (iii).

(46) Section 6103(l)(21)(A)(iii) of such Code is amended to read as follows:

''(iii) the number of the taxpayer's dependents,''.

(47) Section 6213(g)(2) of such Code is amended by striking subparagraph (H).

(48) Section 6334(d)(2) of such Code is amended to read as follows:

''(2) EXEMPT AMOUNT.—

''(A) IN GENERAL.—For purposes of paragraph (1), the term 'exempt amount' means an amount equal to—

''(i) the sum of the amount determined under subparagraph (B) and the standard deduction, divided by

''(ii) 52.

''(B) AMOUNT DETERMINED.—For purposes of subparagraph (A), the amount determined under this subparagraph is $4,150 multiplied by the number of the taxpayer's dependents for the taxable year in which the levy occurs.

''(C) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2018, the $4,150 amount in subparagraph (B) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting 'calendar year 2017' for 'calendar year 2016' in subparagraph (A) thereof.

If any increase determined under the preceding sentence is not a multiple of $100, such increase shall be rounded to the next lowest multiple of $100.

''(D) VERIFIED STATEMENT.—Unless the taxpayer submits to the Secretary a written and properly verified statement specifying the facts necessary to determine the proper amount under subparagraph (A), subparagraph (A) shall be applied as if the taxpayer were a married individual filing a separate return with no dependents.''.

(49) Section 7702B(f)(2)(C)(iii) of such Code is amended by striking ''section 152(d)(2)'' and inserting ''section 7706(d)(2)''.

(50) Section 7703(a) of such Code is amended by striking ''part V of subchapter B of chapter 1 and''.

(51) Section 7703(b)(1) of such Code is amended by striking ''section 152(f)(1)'' and all that follows and inserting ''section 7706(f)(1),''.

(52) Section 7706(a) of such Code, as redesignated by this section, is amended by striking ''this subtitle'' and inserting ''subtitle A''.

(53)(A) Section 7706(d)(1)(B) of such Code, as redesignated by this section, is amended by striking ''the exemption amount (as defined in section 151(d))'' and inserting ''$4,150''.

(B) Section 7706(d) of such Code, as redesignated by this section, is amended by adding at the end the following new paragraph:

''(6) INFLATION ADJUSTMENT.—In the case of any calendar year beginning after 2018, the $4,150 amount in paragraph (1)(B) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year, determined by substituting 'calendar year 2017' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

If any increase determined under the preceding sentence is not a multiple of $100, such increase shall be rounded to the next lowest multiple of $100.''.

(54) The table of sections for chapter 79 of such Code is amended by adding at the end the following new item:

''Sec. 7706. Dependent defined.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___13. PERMANENT EXTENSION OF LIMITATION ON DEDUCTION FOR STATE AND LOCAL, ETC., TAXES.

(a) IN GENERAL.—Paragraph (6) of section 164(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking '', and before January 1, 2026'', and

(2) by striking ''2018 THROUGH 2025'' in the heading and inserting ''AFTER 2017''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___14. PERMANENT EXTENSION OF LIMITATION ON DEDUCTION FOR QUALIFIED RESIDENCE INTEREST.

(a) REPEAL OF HOME EQUITY INDEBTEDNESS.—

(1) IN GENERAL.—Section 163(h)(3)(A) of the Internal Revenue Code of 1986 is amended by striking ''during the taxable year on'' and all that follows through ''For purposes of'' and inserting ''during the taxable year on acquisition indebtedness with respect to any qualified principal residence of the taxpayer. For purposes of''.

(2) CONFORMING AMENDMENT.—Section 163(h)(3) of such Code is amended by striking subparagraph (C).

(b) LIMITATION ON ACQUISITION INDEBTEDNESS.—

(1) IN GENERAL.—Section 163(h)(3)(B)(ii) of the Internal Revenue Code of 1986 is amended by striking ''$1,000,000 ($500,000'' and inserting ''$750,000 ($375,000''.

(2) TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE DECEMBER 31, 2017; REFINANCINGS.—Section 163(h)(3) of the Internal Revenue Code of 1986, as amended by subsection (a)(2), is amended by inserting after subparagraph (B) the following new subparagraph:

''(C) TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE DECEMBER 15, 2017; REFINANCINGS.—

''(i) IN GENERAL.—In the case of any indebtedness incurred on or before December 15, 2017, subparagraph (B)(ii) shall apply as in effect immediately before the enactment of the Public Law 115–97, and, in applying such subparagraph to any indebtedness incurred after such date, the limitation under such subparagraph shall be reduced (but not below zero) by the amount of any indebtedness incurred on or before December 15, 2017, which is treated as acquisition indebtedness for purposes of this subsection for the taxable year.

''(ii) BINDING CONTRACT EXCEPTION.—In the case of a taxpayer who enters into a written binding contract before December 15, 2017, to close on the purchase of a principal residence before January 1, 2018, and who purchases such residence before April 1, 2018, subclause (III) shall be applied by substituting 'April 1, 2018' for 'December 15, 2017'.

''(iii) TREATMENT OF REFINANCINGS OF INDEBTEDNESS.—

''(I) IN GENERAL.—In the case of any indebtedness which is incurred to refinance indebtedness, such refinanced indebtedness shall be treated for purposes of clause (i) as incurred on the date that the original indebtedness was incurred to the extent the amount of the indebtedness resulting from such refinancing does not exceed the amount of the refinanced indebtedness.

''(II) LIMITATION ON PERIOD OF REFINANCING.—Subclause (I) shall not apply to any indebtedness after the expiration of the term of the original indebtedness or, if the principal of such original indebtedness is not amortized over its term, the expiration of the term of the 1st refinancing of such indebtedness (or if earlier, the date which is 30 years after the date of such 1st refinancing).''.

(c) COORDINATION WITH EXCLUSION OF INCOME FROM DISCHARGE OF INDEBTEDNESS.—Section 108(h)(2) of the Internal Revenue Code of 1986 is amended by striking '', applied by substituting'' and all that follows through ''section 163(h)(3)(F)(i)(II)''.

(d) CONFORMING AMENDMENTS.—Section 163(h)(3) of the Internal Revenue Code of 1986 is amended—

(1) in the heading of subparagraph (D)(ii), by striking ''$1,000,000'', and

(2) by striking subparagraph (F).

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___15. PERMANENT EXTENSION OF MODIFICATIONS TO DEDUCTION FOR PERSONAL CASUALTY LOSSES.

(a) IN GENERAL.—Paragraph (5) of section 165(h) of the Internal Revenue Code of 1986 is amended—

(1) by striking '', and before January 1, 2026'' in subparagraph (A), and

(2) by striking ''2018 THROUGH 2025'' in the heading and inserting ''AFTER 2017''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to losses incurred in taxable years beginning after December 31, 2020.

SEC. ___16. REPEAL OF MISCELLANEOUS ITEMIZED DEDUCTIONS.

(a) IN GENERAL.—Section 67 of the Internal Revenue Code of 1986 is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GENERAL RULE.—No miscellaneous itemized deduction shall be allowed for any taxable year beginning after December 31, 2017.'',

(2) by striking subsection (g), and

(3) by striking ''**2-PERCENT FLOOR ON**'' in the heading and inserting ''**TREATMENT OF**''.

(b) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by striking ''2-percent floor on'' in the item relating to section 67 and inserting ''Treatment of''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___17. REPEAL OF OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.

(a) IN GENERAL.—Part 1 of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 68 (and the item relating to such section in the table of sections for such part).

(b) CONFORMING AMENDMENTS.—

(1) Section 1(f)(7) of the Internal Revenue Code of 1986 is amended by striking ''section 68(b)(2),''.

(2) Section 56(b)(1) of such Code is amended by striking subparagraph (F).

(3) Section 164(b)(5)(H)(ii)(III) of such Code is amended by inserting ''(as in effect before

the date of the enactment of the Tax Cuts and Jobs Act)'' after ''68(b)''.

(4) Section 642(b)(2)(C)(i)(I) of such Code is amended by striking ''as an individual described in section 68(b)(1)(C)'' and inserting ''as an individual who is not married and who is not a surviving spouse or head of household''.

(5) Section 773(a)(3)(B) of such Code is amended by striking clause (i) and redesignating clauses (ii) through (iv) as clauses (i) through (iii), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___18. REPEAL OF EXCLUSION FOR QUALIFIED BICYCLE COMMUTING REIMBURSEMENT.

(a) IN GENERAL.—Section 132(f)(1) of the Internal Revenue Code of 1986 is amended by striking subparagraph (D).

(b) CONFORMING AMENDMENTS.—

(1) Section 132(f)(2) of the Internal Revenue Code of 1986 is amended by inserting ''and'' at the end of subparagraph (A), by striking '', and'' at the end of subparagraph (B) and inserting a period, and by striking subparagraph (C).

(2) Section 132(f)(4) of such Code is amended by striking ''(other than a qualified bicycle commuting reimbursement)''.

(3) Section 132(f)(5) of such Code is amended by striking subparagraph (F).

(4) Section 132(f) of such Code is amended by striking paragraph (8).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___19. PERMANENT EXTENSION OF MODIFICATION OF EXCLUSION FOR QUALIFIED MOVING EXPENSE REIMBURSEMENT.

(a) IN GENERAL.—Section 132(g) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1), by striking ''individual'' and inserting ''qualified military member'', and

(2) by striking paragraph (2) and inserting the following:

''(2) QUALIFIED MILITARY MEMBER.—For purposes of paragraph (1), the term 'qualified military member' means a member of the Armed Forces of the United States on active duty who moves pursuant to a military order and incident to a permanent change of station.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___20. REPEAL OF DEDUCTION FOR MOVING EXPENSES.

(a) IN GENERAL.—Subsection (a) of section 217 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) DEDUCTION ALLOWED.—There shall be allowed as a deduction moving expenses paid or incurred during the taxable year in connection with the commencement of work by a member of the Armed Forces of the United States on active duty who moves pursuant to a military order and incident to a permanent change of station.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 217 of the Internal Revenue Code of 1986 is amended—

(A) by striking subsections (c), (d), (f), and (i),

(B) by redesignating subsections (g), (h), and (j) as subsections (c), (d), and (e), respectively, and

(C) in subsection (c), as so redesignated—

(i) by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively, and

(ii) in paragraph (2) (as so redesignated), by striking ''moving expenses of his spouse and dependents'' and all that follows and inserting ''moving expenses of his spouse and dependents as if his spouse commenced work as an employee at a new principal place of work at such location.''.

(2) Section 23 of such Code is amended by striking ''217(h)(3)'' each place it appears in subsections (d)(3) and (e) and inserting ''217(d)(3)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___21. PERMANENT EXTENSION OF LIMITATION ON WAGERING LOSSES.

(a) IN GENERAL.—The second sentence of section 165(d) of the Internal Revenue Code of 1986 is amended by striking ''in the case of taxable years beginning after December 31, 2017, and before January 1, 2026,''.

(b) EFFECTIVE DATE.—The amendments made by this section shall not apply to taxable years beginning after December 31, 2020.

SEC. ___22. INCREASE IN ESTATE AND GIFT TAX EXEMPTION MADE PERMANENT.

(a) IN GENERAL.—Section 2010(c)(3)(A) of the Internal Revenue Code of 1986 is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

(b) CONFORMING AMENDMENTS.—

(1) Section 2010(c)(3) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C).

(2) Subsection (g) of section 2001 of such Code is amended to read as follows:

''(g) MODIFICATIONS TO GIFT TAX PAYABLE TO REFLECT DIFFERENT TAX RATES.—For purposes of applying subsection (b)(2) with respect to 1 or more gifts, the rates of tax under subsection (c) in effect at the decedent's death shall, in lieu of the rates of tax in effect at the time of such gifts, be used both to compute—

''(1) the tax imposed by chapter 12 with respect to such gifts, and

''(2) the credit allowed against such tax under section 2505, including in computing—

''(A) the applicable credit amount under section 2505(a)(1), and

''(B) the sum of the amounts allowed as a credit for all preceding periods under section 2505(a)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying and gifts made after December 31, 2020.

SEC. ___23. INCREASE IN ALTERNATIVE MINIMUM TAX EXEMPTION MADE PERMANENT.

(a) IN GENERAL.—Section 55(d) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1)—

(A) by striking ''$78,750'' in subparagraph (A) and inserting ''$109,400'', and

(B) by striking ''$50,600'' in subparagraph (B) and inserting ''$70,300'', and

(2) in paragraph (2)—

(A) by striking ''$150,000'' in subparagraph (A) and inserting ''$1,000,000'', and

(B) by striking subparagraphs (B) and (C) and inserting the following:

''(B) 50 percent of the dollar amount applicable under subparagraph (A) in the case of a taxpayer described in subparagraph (B) or (C) of paragraph (1), and

''(C) 50 percent of $150,000 in the case of a taxpayer described in paragraph (1)(D).''.

(b) INFLATION ADJUSTMENT.—

(1) IN GENERAL.—Section 55(d)(3)(A)(ii) of the Internal Revenue Code of 1986 is amended to read as follows:

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting for 'calendar year 2016' in subparagraph (A)(ii) thereof—

''(I) 'calendar year 2011' in the case of the dollar amounts described in clauses (i), (iv), and (v) of subparagraph (B), and

''(II) 'calendar year 2017' in the case of the dollar amounts described in clauses (ii) and (iii) of subparagraph (B).''.

(2) CONFORMING AMENDMENTS.—Section 55(d)(3)(B) of such Code is amended—

(A) by striking ''subparagraphs (A), (B), and (D) of paragraph (1), and'' in clause (ii) and inserting ''subparagraphs (A) and (B) of paragraph (1),'',

(B) by striking ''subparagraphs (A) and (B) of paragraph (2).'' in clause (iii) and inserting ''paragraph (2)(A),'', and

(C) by adding at the end the following:

''(iv) the dollar amount contained in paragraph (1)(D), and

''(v) the dollar amount contained in paragraph (2)(C).''.

(c) TREATMENT OF UNEARNED INCOME OF MINOR CHILDREN.—Section 59 of the Internal Revenue Code of 1986 is amended by striking subsection (j).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. ___24. TECHNICAL AMENDMENT.

Section 11000 of Public Law 115–97 is amended by redesignating subsection (a) as subsection (b) and by inserting before subsection (b) (as so redesignated) the following new subsection:

''(a) SHORT TITLE.—This title may be cited as the 'Tax Cuts and Jobs Act'.''.

SA 1860. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle B of title VI of division B, add the following:

SEC. 2652A. SENSE OF CONGRESS ON COLLABORATION ON UNMANNED TRAFFIC MANAGEMENT APPLICATIONS.

It is the sense of Congress that NASA, through its Aeronautics Directorate, should collaborate with the Science and Technology Directorate of the Department of Homeland Security on research and development of technologies to provide unmanned traffic management applications for enhanced air domain awareness.

SA 1861. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In subsection (a)(1)(I) of section 2005 (relating to key technology focus areas) of division B, insert '', carbon capture, utilization, and storage,'' after ''batteries''.

SA 1862. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish

a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division C, add the following:

SEC. 3236. ASSISTANCE TO THE GOVERNMENT OF ISRAEL.

(a) FINDING.—Congress finds that the hostilities between Israel and Iran-backed terrorist groups, including Hamas, which began in May 2021, constitute an exceptional circumstance and a major armed conflict involving Israel, as contemplated by the Memorandum of Understanding signed by the United States and Israel on September 15, 2016.

(b) DIRECT APPROPRIATIONS.—In addition to amounts otherwise available for such purposes, there is appropriated to the Secretary of Defense, out of amounts in the Treasury not otherwise appropriated, $5,000,000,000 for fiscal year 2021, to remain available until expended, to replenish the stockpiles of the Government of Israel of missile, rocket, and projectile defense capabilities, including with respect to the Iron Dome short-range rocket defense system, to levels of such stockpiles in effect on May 1, 2021, including through the transfer of defense articles, defense services, technical data, and funding to the Government of Israel.

(c) SUPPLEMENT, NOT SUPPLANT.—The amounts authorized and appropriated under subsection (b) shall supplement, and not supplant, any other amounts previously appropriated for the procurement of missile, rocket, or projectile defense capabilities, including for the Iron Dome short-range rocket defense system.

(d) TRANSFER REQUIRED.—The Secretary of Defense shall transfer to the Government of Israel such articles as may be necessary to replenish stockpiles in accordance with subsection (b).

(e) EMERGENCY DESIGNATION.—

(1) IN GENERAL.—The amounts provided under this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN THE 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.

SA 1863. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, insert the following:

TITLE IV—EDUCATION FREEDOM SCHOLARSHIPS AND OPPORTUNITY ACT

SEC. 6401. SHORT TITLE.

This title may be cited as the ''Education Freedom Scholarships and Opportunity Act''.

SEC. 6402. PURPOSE.

The purpose of this title is to encourage individual and corporate taxpayers to contribute to scholarships for individual students through eligible scholarship-granting organizations and eligible workforce training organizations, as identified by States.

Subtitle A—Amendments to the Internal Revenue Code of 1986

SEC. 6411. REFERENCES TO THE INTERNAL REVENUE CODE OF 1986.

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 6412. TAX CREDITS FOR CONTRIBUTIONS TO ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS AND ELIGIBLE WORKFORCE TRAINING ORGANIZATIONS.

(a) CREDIT FOR INDIVIDUALS.—

(1) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 is amended by adding after section 25D the following new section:

''SEC. 25E. CONTRIBUTIONS TO ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS AND ELIGIBLE WORKFORCE TRAINING ORGANIZATIONS.

''(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of any qualified contributions made by the taxpayer during the taxable year.

''(b) AMOUNT OF CREDIT.—The credit allowed under subsection (a) in any taxable year shall not exceed 10 percent of the taxpayer's adjusted gross income for the taxable year.

''(c) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED CONTRIBUTION.—The term 'qualified contribution' means a contribution of cash to any eligible scholarship-granting organization or eligible workforce training organization.

''(2) QUALIFIED EXPENSE.—The term 'qualified expense' means any educational expense that is—

''(A) for an individual student's elementary or secondary education, as recognized by the State,

''(B) for the secondary education component of an individual elementary or secondary student's career and technical education, as defined by section 3(5) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(5)), or

''(C) for the purpose of providing eligible individual participants with scholarships for secondary or postsecondary vocational education and training, workforce development, or apprenticeship training, including preparation and examination costs relating to portable certificates or credentials, or industry recognized certification or credentialing programs.

''(3) ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATION.—The term 'eligible scholarship-granting organization' means—

''(A) an organization that—

''(i) is described in section 501(c)(3) and exempt from taxation under section 501(a),

''(ii) provides qualifying scholarships for qualified expenses to only individual elementary and secondary students who—

''(I) reside in the State in which the eligible scholarship-granting organization is recognized, or

''(II) in the case of the Bureau of Indian Education, are members of a federally recognized tribe,

''(iii) a State reports to the Secretary of Education as an eligible scholarship-granting organization pursuant to section 6421(c)(5)(B) of the Education Freedom Scholarships and Opportunity Act,

''(iv) allocates at least 90 percent of qualified contributions to qualifying scholarships for qualified expenses, and

''(v) provides scholarships to—

''(I) more than 1 eligible student,

''(II) more than 1 eligible family, and

''(III) different eligible students attending more than one education provider, or

''(B) an organization that—

''(i) is described in section 501(c)(3) and exempt from taxation under section 501(a), and

''(ii) pursuant to State law, was able, as of the date of the enactment of the Education Freedom Scholarships and Opportunity Act, to receive contributions that are eligible for a State tax credit if such contributions are used by the organization to provide scholarships to individual elementary and secondary students, including scholarships for attending private schools.

''(4) ELIGIBLE WORKFORCE TRAINING ORGANIZATION.—

''(A) IN GENERAL.—The term 'eligible workforce training organization' means any organization—

''(i) which is—

''(I) described in section 501(c)(3) and exempt from taxation under section 501(a), and

''(II) not a private foundation (as defined in section 509),

''(ii) whose purpose is to provide vocational education and training, workforce development, or apprenticeship training to eligible potential secondary or postsecondary students, including organizations whose purpose is to provide scholarships for portable certificates or credentials, or industry recognized certifications or credentialing programs, including preparation and examination costs,

''(iii) which is in compliance with applicable State laws,

''(iv) which a State has reported to the Secretary of Education as an eligible workforce training organization pursuant to section 6421(c)(5)(B) of the Education Freedom Scholarships and Opportunity Act,

''(v) which satisfies the requirements described in clauses (iv) and (v) of paragraph (3)(A).

''(B) POTENTIAL ELIGIBLE WORKFORCE TRAINING ORGANIZATIONS.—Eligible workforce training organizations may include, but are not limited to, organizations such as the following (provided that such organizations satisfy the requirements under subparagraph (A)):

''(i) Community colleges.

''(ii) Workforce training programs (as defined by the applicable State workforce agency).

''(iii) Organizations which provide—

''(I) career and technical education, or

''(II) training or apprenticeships, including, but not limited to, training or apprenticeships operated by a collective bargaining organization or that provide industry recognized certifications or credentials.

''(iv) Community organizations that provide training that results in a certification.

''(5) QUALIFYING SCHOLARSHIP.—The term 'qualifying scholarship' means—

''(A) a scholarship granted by an eligible scholarship-granting organization to an individual elementary or secondary student, or

''(B) a scholarship granted by an eligible workforce training organization as a scholarship to a secondary or postsecondary student for the purpose of vocational education and training, workforce development, obtaining

portable certificates or credentials, or industry recognized certification or credentialing programs, including preparation and examination costs,

under this section.

''(6) STATE.—The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and the Department of the Interior (acting through the Bureau of Indian Education).

''(d) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—A scholarship awarded to a student from the proceeds of a qualified contribution under this section or section 45U shall not be considered assistance to the school, eligible workforce training organization, or other educational provider that enrolls, or provides educational services to, the student or the student's parents.

''(2) NOT TREATED AS INCOME.—The amount of any such scholarship shall not be treated as income of the student or their parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

''(3) PROHIBITION OF CONTROL OVER NONPUBLIC EDUCATION PROVIDERS.—

''(A) Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home education provider, whether or not a home education provider is treated as a private school or home school under State law. This Act shall not be construed to exclude private, religious, or home education providers from participation in programs or services under this Act.

''(B) Nothing in this Act shall be construed to permit, allow, encourage, or authorize an entity submitting a list of eligible scholarship-granting organizations or eligible workforce training organizations on behalf of a State to mandate, direct, or control any aspect of a private or home education provider, regardless of whether or not a home education provider is treated as a private school under state law.

''(C) No participating State or entity acting on behalf of a State shall exclude, discriminate against, or otherwise disadvantage any education provider with respect to programs or services under this Act based in whole or in part on the provider's religious education character or affiliation, including religiously or mission-based policies or practices.

''(4) PARENTAL RIGHTS TO USE SCHOLARSHIPS.—No participating State or entity acting on behalf of a State shall disfavor or discourage the use of such scholarships for the purchase of elementary and secondary or workforce training education services, including those services provided by private or nonprofit entities, such as faith-based providers.

''(5) STATE AND LOCAL AUTHORITY.—Nothing in this section or section 45U shall be construed to modify a State or local government's authority and responsibility to fund education.

''(e) LIMITATIONS.—

''(1) TAX LIABILITY.—No credit allowed under this section or section 45U shall exceed the taxpayer's Federal income tax liability for the taxable year.

''(2) PROHIBITIONS.—A taxpayer is prohibited from selling or transferring any portion of a tax credit allowed under this section or section 45U.

''(3) DENIAL OF DOUBLE BENEFIT.—The Secretary shall prescribe such regulations or other guidance to ensure that the sum of the tax benefits provided by Federal, State, or local law for a qualified contribution receiving a Federal tax credit in any taxable year shall not exceed the sum of the qualified contributions made by the taxpayer for the taxable year.

''(f) CARRYOVER OF CREDIT.—If a tax credit allowed under this section or section 45U is not fully used within the applicable taxable year because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 5 years.

''(g) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

''(h) ALTERNATIVE MINIMUM TAX.—For purposes of calculating the alternative minimum tax under section 55, a taxpayer may use any credit received for a qualified contribution under this section.''.

(2) CLERICAL AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of is amended by inserting after the item relating to section 25D the following new item:

''Sec. 25E. Contributions to eligible scholarship-granting organizations and eligible workforce training organizations.''.

(b) CREDIT FOR CORPORATIONS.—

(1) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

''SEC. 45U. CONTRIBUTIONS TO ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS AND ELIGIBLE WORKFORCE TRAINING ORGANIZATIONS.

''(a) ALLOWANCE OF CREDIT.—For purposes of section 38, in the case of a domestic corporation, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of any qualified contributions (as defined in section 25E(c)(1)) made by such corporation taxpayer during the taxable year.

''(b) AMOUNT OF CREDIT.—The credit allowed under subsection (a) for any taxable year shall not exceed 5 percent of the taxable income (as defined in section 170(b)(2)(D)) of the domestic corporation for such taxable year.

''(c) ADDITIONAL PROVISIONS.—For purposes of this section, any qualified contributions made by a domestic corporation shall be subject to the provisions of section 25E, to the extent applicable.

''(d) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.''.

(2) CREDIT PART OF GENERAL BUSINESS CREDIT.—Section 38(b) is amended—

(A) by striking ''plus'' at the end of paragraph (32);

(B) by striking the period at the end of paragraph (33) and inserting '', plus''; and

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

''(34) the credit for qualified contributions determined under section 45U(a).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

''Sec. 45U. Contributions to eligible scholarship-granting organizations and eligible workforce training organizations.''.

Subtitle B—Education Freedom Scholarships and Opportunity Act Web Portal and Administration

SEC. 6421. EDUCATION FREEDOM SCHOLARSHIPS AND OPPORTUNITY ACT WEB PORTAL AND ADMINISTRATION.

(a) IN GENERAL.—The Secretary of Education shall, in coordination with the Secretary of the Treasury and the Secretary of Labor, establish, host, and maintain a Web portal that—

(1) lists all scholarship-granting organizations and workforce training organizations that are eligible under section 25E or 45U of the Internal Revenue Code of 1986;

(2) enables a taxpayer to make a qualifying contribution to one or more eligible scholarship-granting organizations and eligible workforce training organizations and to immediately obtain both a pre-approval of a tax credit for that contribution and a receipt for tax filings;

(3) provides information about the tax benefits of the provisions of the Education Freedom Scholarships and Opportunity Act under the Internal Revenue Code of 1986; and

(4) enables a State to submit and update information about its programs and its eligible scholarship-granting organizations and eligible workforce training organizations for informational purposes only, including information on—

(A) student eligibility;

(B) allowable educational expenses;

(C) the types of allowable education providers;

(D) the percentage of funds an organization may use for program administration; and

(E) the percentage of total contributions the organization awards in a calendar year.

(b) NONPORTAL CONTRIBUTIONS.—A taxpayer may opt to make a contribution directly to an eligible scholarship-granting organization or an eligible workforce training organization, instead of through the Web portal described in subsection (a), provided that the taxpayer, or the eligible scholarship-granting organization or eligible workforce training organization on behalf of the taxpayer, applies for, and receives pre-approval for a tax credit from the Secretary of Education in coordination with the Secretary of the Treasury.

(c) NATIONAL AND STATE CAPS ON CREDITS.—

(1) NATIONAL CAP.—There is a cap of $10,000,000,000 on the sum of the contributions that qualify for a credit under section 25E and section 45U of the Internal Revenue Code of 1986 for each calendar year, of which—

(A) $5,000,000,000 shall be allotted for qualified contributions to eligible scholarship-granting organizations; and

(B) $5,000,000,000 shall be allotted for qualified contributions to eligible workforce training organizations.

(2) ALLOCATION OF CAP.—

(A) INITIAL ALLOCATIONS.—For each calendar year, the Secretary of Education, in coordination with the Secretary of Labor, shall—

(i) from the amount allotted under paragraph (1)(A)—

(I) first reserve, for each State, an amount equal to the sum of the qualifying contributions made in the State in the previous year; and

(II) next, allocate the remaining amount among the participating States by allocating to each State the sum of—

(aa) an amount that bears the same relationship to 20 percent of such remaining amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary of Education on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(bb) an amount that bears the same relationship to 80 percent of such remaining amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary of Education, on the basis of the most recent satisfactory data, bears to

the number of those individuals in all such States, as so determined; and

(ii) from the amount allotted under paragraph (1)(B)—

(I) first reserve, for each State, an amount equal to the sum of the qualifying contributions made in the State in the previous year attributable to eligible workforce training organizations; and

(II) next, allocate the remaining amount among the participating States by allocating to each State an amount determined through a system, as established and maintained by the Secretary of Labor, that accurately reflects demand and potential qualified participants for apprenticeships and workforce training within that State.

(B) MINIMUM ALLOCATION.—Notwithstanding subparagraph (A), no State receiving an allotment under this section may receive less than one-half of one percent of the amount allotted for a fiscal year.

(C) ALTERNATIVE ALLOCATION FOR QUALIFIED CONTRIBUTIONS TO ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS.—

(i) IN GENERAL.—Not later than the end of the fifth year of the program or one year after the end of the first fiscal year for which the total amount of credits claimed under section 25E and section 45U of the Internal Revenue Code of 1986 for qualified contributions to eligible scholarship-granting organizations is $2,500,000,000 or more, whichever comes first, the Secretary of Education shall, by regulation, provide for an alternative allocation method for the amount described in paragraph (1)(A) that shall take effect beginning with the first fiscal year after the regulation takes effect.

(ii) ALTERNATIVE ALLOCATION METHOD.—The alternative allocation method described in clause (i) shall be expressed as a formula based on a combination of the following data for each State, as reported by the State to the Secretary of Education:

(I) The relative percentage of students in the State who receive a elementary or secondary scholarship through a State program that is financed through State tax-credited donations or appropriations and that permits the elementary or secondary scholarship to be used to attend a private school.

(II) The total amount of all elementary and secondary scholarships awarded through a State program that is financed through State tax-credited donations or appropriations compared to the total amount of current State and local expenditures for free public education in the State.

(iii) ALLOCATION FORMULA.—For any fiscal year to which clause (i) applies, the Secretary of Education shall—

(I) first reserve, for each State, an amount equal to the sum of the qualifying contributions made in the State in the previous year;

(II) next, allocate two-thirds of the remaining amount of the national cap for that year using the alternative allocation method in clause (ii); and

(III) then, allocate one-third of the remaining amount in accordance with subparagraph (A)(ii).

(iv) INELIGIBILITY.—For any fiscal year to which clause (i) applies, a State that does not provide the Secretary of Education with information described in clause (ii) is not eligible to receive an allocation through the alternative allocation method under clause (ii).

(3) ALLOWABLE PARTNERSHIPS.—A State may choose to administer the allocation it receives under paragraph (2) in partnership with one or more States, provided that the eligible scholarship-granting organizations or eligible workforce training organizations in each partner State serve students who reside in all States in the partnership.

(4) TOTAL ALLOCATION.—A State's allocation, for any fiscal year, is the sum of the amount determined for it under subparagraphs (A) and (B) of paragraph (2), except as provided in paragraph (2)(C).

(5) ALLOCATION AND ADJUSTMENTS.—

(A) INITIAL ALLOCATION TO STATES.—No later than November 1 of the year preceding a year for which there is a national cap on credits under paragraph (1) (hereafter in this section, the ''applicable year''), or as early as practicable with respect to the first year, the Secretary of Education shall announce the State allocations under paragraph (2) for the applicable year.

(B) LIST OF ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS AND ELIGIBLE WORKFORCE TRAINING ORGANIZATIONS.—No later than January 1 of each applicable year, or as early as practicable with respect to the first year, each State shall provide the Secretary of Education a list of eligible scholarship-granting organizations and eligible workforce training organizations described in paragraphs (3)(A) and (4) of section 25E(c) of the Internal Revenue Code of 1986, including a certification that the entity submitting the list on behalf of the State has the authority to perform this function. Neither this title nor any other Federal law shall be construed as limiting the entities that may submit the list on behalf of a state.

(C) REALLOCATION.—

(i) IN GENERAL.—The Secretary of Education shall, in accordance with paragraph (2), reallocate to any other States the allocation of a State which, for any applicable year—

(I) fails to provide the Secretary of Education a list of eligible scholarship-granting organizations and eligible workforce training organizations pursuant to subparagraph (B); and

(II) does not have an eligible scholarship-granting organization (as described in section 25E(c)(3)(B) of the Internal Revenue Code of 1986) located in such State.

(ii) UNCLAIMED CREDITS.—On or after April 1 of any applicable year, the Secretary of Education may reallocate, to one or more other States that have eligible scholarship-granting organizations and eligible workforce training organizations in the States, without regard to paragraph (2), the allocation of a State for which the State's allocation has not been claimed.

(d) DEFINITIONS.—The definitions of terms in section 25E(c) of the Internal Revenue Code of 1986 apply to those terms as used in this title.

(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of administering this section and sections 25E and 45U of the Internal Revenue Code of 1986, there are authorized to be appropriated, and there are appropriated, such sums as may be necessary for fiscal year 2021 and each succeeding fiscal year.

SA 1864. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 1022, beginning on line 19, strike ''approved'' and all that follows through line 22 and insert the following: ''that the Secretary determines will have an important effect on the foreign relations of the United States and were approved for negotiation by the Secretary in writing during the prior month.''

SA 1865. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1022, strike line 18 and all that follows through page 1023, line 2.

On page 1023, line 3, strike ''(B)'' and insert ''(A)''.

On page 1023, line 21, strike ''(C)'' and insert ''(B)''.

Beginning on page 1024, strike line 19 and all that follows through page 1026, line 11.

On page 1025, line 4, strike ''(4)'' and insert ''(3)''.

On page 1026, beginning on line 16, strike ''subparagraphs'' and all that follows through line 17 and insert the following: ''subparagraph (A)(iii) and clauses (iii) and (iv) of subparagraph (B) of subsection (a)(1),''.

On page 1027, beginning on line 2, strike ''subparagraphs'' and all that follows through line 4 and insert the following: ''subparagraph (A)(iii) and clauses (iii) and (iv) of subparagraph (B) of subsection (a)(1) shall not be subject to the requirement''.

SA 1866. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SECTION 2528. ADMISSION OF ESSENTIAL SCIENTISTS AND TECHNICAL EXPERTS TO PROMOTE AND PROTECT NATIONAL SECURITY INNOVATION BASE.

(a) SHORT TITLE.—This section may be cited as the ''National Security Innovation Pathways Act of 2021''.

(b) DEFINITIONS.—In this section:

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

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

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

(C) the Committee on Armed Services of the House of Representatives; and

(D) the Committee on the Judiciary of the House of Representatives.

(2) NATIONAL SECURITY INNOVATION BASE.—The term ''National Security Innovation Base'' means the network of persons and organizations, including Federal agencies, institutions of higher education, federally

funded research and development centers, defense industrial base entities, nonprofit organizations, commercial entities, and venture capital firms that are engaged in the military and non-military research, development, funding, and production of innovative technologies that support the national security of the United States.

(c) ADMISSION OF ESSENTIAL SCIENTISTS AND TECHNICAL EXPERTS TO PROMOTE AND PROTECT NATIONAL SECURITY INNOVATION BASE.—

(1) SPECIAL IMMIGRANT STATUS.—In accordance with the procedures established under paragraph (6)(A), and subject to the numerical limitations under paragraph (3)(A), the Secretary of Homeland Security may provide an alien described in paragraph (2) (and the spouse and children of the alien if accompanying or following to join the alien) with the status of a special immigrant under section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) if the alien—

(A) submits a classification petition under section 204(a)(1)(G)(i) of such Act (8 U.S.C. 1154(a)(1)(G)(i)); and

(B) is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for permanent residence.

(2) ALIENS DESCRIBED.—An alien is described in this paragraph if—

(A) the alien—

(i) is employed by a United States employer and engaged in work to promote and protect the National Security Innovation Base;

(ii) is engaged in basic or applied research, funded by the Department of Defense, through a United States institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(iii) possesses scientific or technical expertise that will advance the development of critical technologies identified in the National Defense Strategy or the National Defense Science and Technology Strategy, required by section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1679); and

(B) the Secretary of Defense issues a written statement to the Secretary of Homeland Security confirming that the admission of the alien is essential to advancing the research, development, testing, or evaluation of critical technologies described in subparagraph (A)(iii) or otherwise serves national security interests.

(3) NUMERICAL LIMITATIONS.—

(A) IN GENERAL.—The total number of aliens described in paragraph (2) who may be provided special immigrant status under this subsection may not exceed—

(i) 100 in fiscal year 2022;

(ii) 200 in fiscal year 2023;

(iii) 300 in fiscal year 2024;

(iv) 400 in fiscal year 2025; and

(v) 500 in fiscal year 2026 and in each fiscal year thereafter.

(B) EXCLUSION FROM NUMERICAL LIMITATION.—Aliens provided special immigrant status under this subsection shall not be counted against the numerical limitations under sections 201(d), 202(a), and 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4)).

(4) DEFENSE COMPETITION FOR SCIENTISTS AND TECHNICAL EXPERTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a process to select, on a competitive basis from among individuals described in paragraph (2), individuals for recommendation to the Secretary of Homeland Security for special immigrant status under paragraph (1).

(5) AUTHORITIES.—In carrying out this subsection, the Secretary of Defense shall authorize appropriate personnel of the Department of Defense to use all personnel and management authorities available to the Department, including—

(A) the personnel and management authorities provided to the science and technology reinvention laboratories;

(B) the Major Range and Test Facility Base (as defined in 196(i) of title 10, United States Code); and

(C) the Defense Advanced Research Projects Agency.

(6) PROCEDURES.—Not later than 360 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly establish policies and procedures implementing this subsection, which shall include procedures for—

(A) processing petitions for classification submitted under paragraph (1)(A) and applications for an immigrant visa or adjustment of status, as applicable; and

(B) the thorough processing of any required security clearances.

(7) FEES.—The Secretary of Homeland Security shall establish a fee that—

(A) will be charged and collected for processing each application filed under this subsection; and

(B) is set at a level that will ensure recovery of the full costs of such processing and any additional costs associated with the administration of the fees collected.

(d) REPORTING REQUIREMENTS.—

(1) IMPLEMENTATION REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that—

(A) includes a plan for implementing the authorities provided under this section; and

(B) identifies any additional authorities that may be required to assist the Secretary of Homeland Security and the Secretary of Defense to fully implement this section.

(2) PROGRAM EVALUATION AND REPORT.—

(A) EVALUATION.—The Comptroller General of the United States shall conduct an evaluation of the competitive program and special immigrant program described in subsection (c).

(B) REPORT.—Not later than October 1, 2025, the Comptroller General shall submit a report to the appropriate congressional committees that describes the results of the evaluation conducted pursuant to subparagraph (A).

SA 1867. Mr. WHITEHOUSE (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—BOLSTERING LONG-TERM UNDERSTANDING AND EXPLORATION OF THE GREAT LAKES, OCEANS, BAYS, AND ESTUARIES

SEC. __01. SHORT TITLE.

This title may be cited as the ''Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries Act'' or the ''BLUE GLOBE Act''.

SEC. __02. PURPOSE.

The purpose of this title is to promote and support—

(1) the monitoring, understanding, and exploration of the Great Lakes, oceans, bays, estuaries, and coasts; and

(2) the collection, analysis, synthesis, and sharing of data related to the Great Lakes, oceans, bays, estuaries, and coasts to facilitate science and operational decision making.

SEC. __03. SENSE OF CONGRESS.

It is the sense of Congress that Federal agencies should optimize data collection, management, and dissemination, to the extent practicable, to maximize their impact for research, conservation, commercial, regulatory, and educational benefits and to foster innovation, scientific discoveries, the development of commercial products, and the development of sound policy with respect to the Great Lakes, oceans, bays, estuaries, and coasts.

SEC. __04. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Under Secretary of Commerce for Oceans and Atmosphere in the Under Secretary's capacity as Administrator of the National Oceanic and Atmospheric Administration.

(2) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

SEC. __05. WORKFORCE STUDY.

(a) IN GENERAL.—Section 303(a) of the America COMPETES Reauthorization Act of 2010 (33 U.S.C. 893c(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere'';

(2) in paragraph (2), by inserting '', skillsets, or credentials'' after ''degrees'';

(3) in paragraph (3), by inserting ''or highly qualified technical professionals and tradespeople'' after ''atmospheric scientists'';

(4) in paragraph (4), by inserting '', skillsets, or credentials'' after ''degrees'';

(5) in paragraph (5)—

(A) by striking ''scientist''; and

(B) by striking ''; and'' and inserting '', observations, and monitoring;''

(6) in paragraph (6), by striking ''into Federal'' and all that follows and inserting '', technical professionals, and tradespeople into Federal career positions;''

(7) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(8) by inserting after paragraph (1) the following:

''(2) whether there is a shortage in the number of individuals with technical or trade-based skillsets or credentials suited to a career in oceanic and atmospheric data collection, processing, satellite production, or satellite operations;''; and

(9) by adding at the end the following:

''(8) workforce diversity and actions the Federal Government can take to increase diversity in the scientific workforce; and

''(9) actions the Federal Government can take to shorten the hiring backlog for such workforce.''.

(b) COORDINATION.—Section 303(b) of such Act (33 U.S.C. 893c(b)) is amended by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''.

(c) REPORT.—Section 303(c) of such Act (33 U.S.C. 893c(c)) is amended—

(1) by striking ''the date of enactment of this Act'' and inserting ''the date of the enactment of the Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries Act'';

(2) by striking ''Secretary of Commerce'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''; and

(3) by striking ''to each committee'' and all that follows through ''section 302 of this Act'' and inserting ''to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives''.

(d) PROGRAM AND PLAN.—Section 303(d) of such Act (33 U.S.C. 893c(d)) is amended—

(1) by striking ''Administrator of the National Oceanic and Atmospheric Administration'' and inserting ''Under Secretary of Commerce for Oceans and Atmosphere''; and

(2) by striking ''academic partners'' and all that follows and inserting ''academic partners.''.

SEC. __06. ACCELERATING INNOVATION AT COOPERATIVE INSTITUTES.

(a) FOCUS ON EMERGING TECHNOLOGIES.—The Administrator shall consider evaluating the goals of one or more Cooperative Institutes of the National Oceanic and Atmospheric Administration to include focusing on advancing or applying emerging technologies, which may include—

(1) applied uses and development of real-time and other advanced genetic technologies and applications, including such technologies and applications that derive genetic material directly from environmental samples without any obvious signs of biological source material;

(2) deployment of, and improvements to, the durability, maintenance, and other lifecycle concerns of advanced unmanned vehicles, regional small research vessels, and other research vessels that support and launch unmanned vehicles and sensors; and

(3) supercomputing and big data management, including data collected through model outputs, electronic monitoring, and remote sensing.

(b) COORDINATION WITH OTHER PROGRAMS.—If appropriate, the Cooperative Institutes shall work with the Interagency Ocean Observation Committee, the regional associations of the Integrated Ocean Observing System, and other ocean observing programs to coordinate technology needs and the transition of new technologies from research to operations.

SEC. __07. ELECTRONIC MONITORING INNOVATION PRIZE.

Not later than 2 years after the date of the enactment of this Act, and under the authority provided by section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Administrator, in consultation with the heads of relevant Federal agencies and nongovernmental partners, as appropriate, shall establish an Electronic Monitoring Innovation Prize, which may be awarded for the development of advanced electronic fisheries monitoring equipment and data analysis tools, including improved fish species recognition software.

SEC. __08. BLUE ECONOMY VALUATION.

(a) MEASUREMENT OF BLUE ECONOMY INDUSTRIES.—The Administrator, in consultation with the heads of other relevant Federal agencies, shall establish a program to improve the collection, aggregation, and analysis of data to measure the value and impact of industries related to the Great Lakes, oceans, bays, estuaries, and coasts on the economy of the United States, including living resources, marine construction, marine transportation, offshore energy development and siting including for renewable energy, offshore mineral production, ship and boat building, tourism, recreation, subsistence, commercial, recreational, and charter fishing, seafood processing, and other fishery-related businesses, aquaculture such as kelp and shellfish, and other industries the Administrator considers appropriate (known as ''Blue Economy'' industries).

(b) COLLABORATION.—In carrying out subsection (a), the Administrator shall—

(1) work with the Director of the Bureau of Economic Analysis and the heads of other relevant Federal agencies to develop a Coastal and Ocean Economy Satellite Account that includes national, Tribal, and State-level statistics to measure the contribution of the Great Lakes, oceans, bays, estuaries, and coasts to the overall economy of the United States; and

(2) collaborate with national and international organizations and governments to promote consistency of methods, measurements, and definitions to ensure comparability of results between countries.

(c) REPORT.—Not less frequently than once every 2 years until the date that is 20 years after the date of the enactment of this Act, the Administrator, in consultation with the heads of other relevant Federal agencies, shall publish a report that—

(1) defines the Blue Economy, in coordination with Indian Tribes, academia, the private sector, nongovernmental organizations, and other relevant experts;

(2) makes recommendations for updating North American Industry Classification System (NAICS) reporting codes to reflect the Blue Economy; and

(3) provides a comprehensive estimate of the value and impact of the Blue Economy with respect to each State and territory of the United States, including—

(A) the value and impact of—

(i) economic activities that are dependent upon the resources of the Great Lakes, oceans, bays, estuaries, and coasts;

(ii) the population and demographic characteristics of the population along the coasts;

(iii) port and shoreline infrastructure;

(iv) the volume and value of cargo shipped by sea or across the Great Lakes; and

(v) data collected from the Great Lakes, oceans, bays, estuaries, and coasts, including such data collected by businesses that purchase and commodify the data, including weather prediction and seasonal agricultural forecasting; and

(B) to the extent possible, the qualified value and impact of the natural capital of the Great Lakes, oceans, bays, estuaries, and coasts with respect to tourism, recreation, natural resources, and cultural heritage, including other indirect values.

SEC. __09. ADVANCED RESEARCH PROJECTS AGENCY–OCEANS.

(a) AGREEMENT.—Not later than 45 days after the date of the enactment of this Act, the Administrator shall seek to enter into an agreement with the National Academy of Sciences to conduct the comprehensive assessment under subsection (b).

(b) COMPREHENSIVE ASSESSMENT.—

(1) IN GENERAL.—Under an agreement between the Administrator and the National Academy of Sciences under this section, the National Academy of Sciences shall conduct a comprehensive assessment to evaluate—

(A) whether there is a need for an Advanced Research Projects Agency–Oceans (ARPA–O) that operates within the National Oceanic and Atmospheric Administration in coordination with, but not duplicative of, existing Federal research programs relating to oceanic, coastal, Great Lakes, estuarine, and related systems, including programs of the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration; and

(B) if there is such a need, the feasibility of establishing such an ARPA–O.

(2) ELEMENTS.—The comprehensive assessment conducted under paragraph (1) shall include—

(A) an assessment of how an ARPA–O may help overcome the long-term and high-risk technological barriers in the development of ocean technologies, with the goal of enhancing the economic, ecological, and national security of the United States through the rapid development of technologies that result in—

(i) improved data collection, monitoring, and prediction of the ocean environment, including sea ice conditions;

(ii) overcoming barriers to the application of new and improved technologies, such as high costs and scale of operational missions;

(iii) improved technology for fishery stock assessments and surveys; and

(iv) ensuring that the United States maintains a technological lead in developing and deploying advanced ocean technologies;

(B) an evaluation of the organizational structures under which an ARPA–O could be organized, which takes into account—

(i) best practices for new research programs;

(ii) metrics and approaches for periodic program evaluation;

(iii) capacity to fund and manage external research awards; and

(iv) options for oversight of the activity through the National Oceanic and Atmospheric Administration;

(C) an estimation of the scale of investment necessary to pursue high priority ocean technology projects; and

(D) in a case in which an ARPA–O is not recommended as an independent office, recommendations to improve the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration to achieve the goals described in subparagraph (A).

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the comprehensive assessment conducted under subsection (b).

(2) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

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

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Natural Resources of the House of Representatives;

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

(E) the Committee on Appropriations of the House of Representatives.

SEC. __10. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are to be authorized to carry out this title.

SA 1868. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 2645, insert the following:

SEC. 2645A. ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.

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

(1) Section 60501 of title 51, United States Code, states that the goal of the Administration's Earth science program is ''to pursue a program of Earth observations, research, and applications activities to better understand the Earth, how it supports life, and how human activities affect its ability to do so in the future''.

(2) Section 50115 title 51, United States Code, directs the Administrator to acquire space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(3) In 2019, the Administrator established the Commercial SmallSat Data Acquisition Pilot Program to identify, evaluate, and acquire data from commercial sources that support NASA's Earth science research and application goals, and NASA has—

(A) determined, in its 2020 final evaluation entitled ''Commercial SmallSat Data Acquisition Program Pilot Evaluation Report'', that the program has been a success;

(B) expanded its procurement arrangements with commercial vendors to provide Earth remote sensing data and imagery to NASA-funded scientists; and

(C) sought to increase the number of commercial vendors, expand acquisition of commercial data products, and broaden user access despite a lack of corresponding growth in the program's budget.

(b) ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.—

(1) IN GENERAL.—Chapter 603 of title 51, United States Code, is amended by adding at the end the following:

''§ 60307. Commercial SmallSat Data program

''(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this section, the Administrator shall establish within the Earth Science Division of the Science Mission Directorate a program, to be known as the 'Commercial SmallSat Data Program' (referred to in this section as the 'Program'), to procure and disseminate commercial Earth observation data and imagery.

''(b) DATA PUBLICATION AND TRANSPARENCY.—The terms and conditions of commercial remote sensing data acquisitions under the Program may not prevent the publication of—

''(1) data for scientific purposes; or

''(2) information that enhances the original data of a vendor.

''(c) FUNDING.—The Administrator may obligate such sums as necessary—

''(1) to procure from commercial vendors the remote sensing data and imagery necessary to advance NASA scientific research and applications; and

''(2) to establish or modify end-use license terms and conditions to allow individuals other than NASA-funded users to use such procured data and imagery.

''(d) REPORT.—Not later than 180 days after the date of the enactment of this section, and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report that includes the following:

''(1) A list of all vendors that provide remote sensing data and imagery to NASA.

''(2) The end-use license terms and conditions for each such vendor.

''(3) A description of the manner in which each such vendor is advancing scientific research and applications, including the priorities recommended in the decadal surveys of the National Academies of Sciences, Engineering, and Medicine.

''(4) A determination as to whether the Administrator has entered into any agreement with a commercial vendor or any other civilian agency that permits the use of data and imagery by Federal Government employees, contractors, or non-Federal users.''.

SA 1869. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 100, between lines 3 and 4, insert the following:

(3) ENERGY SPENDING FOR LITHIUM EXTRACTION OR PURIFICATION ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $300,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2022 shall be transferred to the Secretary of Energy for lithium extraction or purification activities for such fiscal year.

On page 101, between lines 12 and 13, insert the following:

(3) ENERGY SPENDING FOR LITHIUM EXTRACTION OR PURIFICATION ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $300,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2023 shall be transferred to the Secretary of Energy for lithium extraction or purification activities for such fiscal year.

On page 102, between lines 22 and 23, insert the following:

(3) ENERGY SPENDING FOR LITHIUM EXTRACTION OR PURIFICATION ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $300,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2024 shall be transferred to the Secretary of Energy for lithium extraction or purification activities for such fiscal year.

On page 104, between lines 10 and 11, insert the following:

(3) ENERGY SPENDING FOR LITHIUM EXTRACTION OR PURIFICATION ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $300,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2025 shall be transferred to the Secretary of Energy for lithium extraction or purification activities for such fiscal year.

On page 105, between lines 20 and 21, insert the following:

(3) ENERGY SPENDING FOR LITHIUM EXTRACTION OR PURIFICATION ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $300,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2026 shall be transferred to the Secretary of Energy for lithium extraction or purification activities for such fiscal year.

SA 1870. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 100, between lines 3 and 4, insert the following:

(3) ENERGY SPENDING FOR URANIUM ENRICHMENT ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $1,000,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2022 shall be transferred to the Secretary of Energy for uranium enrichment activities for such fiscal year.

On page 101, between lines 12 and 13, insert the following:

(3) ENERGY SPENDING FOR URANIUM ENRICHMENT ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $1,000,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2023 shall be transferred to the Secretary of Energy for uranium enrichment activities for such fiscal year.

On page 102, between lines 22 and 23, insert the following:

(3) ENERGY SPENDING FOR URANIUM ENRICHMENT ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $1,000,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2024 shall be transferred to the Secretary of Energy for uranium enrichment activities for such fiscal year.

On page 104, between lines 10 and 11, insert the following:

(3) ENERGY SPENDING FOR URANIUM ENRICHMENT ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $1,000,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2025 shall be transferred to the Secretary of Energy for uranium enrichment activities for such fiscal year.

On page 105, between lines 20 and 21, insert the following:

(3) ENERGY SPENDING FOR URANIUM ENRICHMENT ACTIVITIES.—Notwithstanding paragraphs (1) and (2)(A), $1,000,000,000 of the amounts made available to the National Science Foundation under paragraph (2)(A) for fiscal year 2026 shall be transferred to the Secretary of Energy for uranium enrichment activities for such fiscal year.

SA 1871. Mr. CORNYN (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. NATIONAL SECURITY EXCLUSION FOR ARTICLES OR COMPONENTS OF ARTICLES THAT CONTAIN, WERE PRODUCED USING, BENEFIT FROM, OR USE TRADE SECRETS MISAPPROPRIATED OR ACQUIRED THROUGH IMPROPER MEANS BY A FOREIGN AGENT OR FOREIGN INSTRUMENTALITY.

(a) SHORT TITLE.—This section may be cited as the ''Stopping and Excluding Chinese Rip-offs and Exports with United States

Trade Secrets Act of 2021'' or the ''SECRETS Act of 2021''.

(b) NATIONAL SECURITY EXCLUSION.—Title III of the Tariff Act of 1930 is amended by inserting after section 341 (19 U.S.C. 1341) the following:

''SEC. 342. NATIONAL SECURITY EXCLUSION FOR ARTICLES OR COMPONENTS OF ARTICLES THAT CONTAIN, WERE PRODUCED USING, BENEFIT FROM, OR USE TRADE SECRETS MISAPPROPRIATED OR ACQUIRED THROUGH IMPROPER MEANS BY A FOREIGN AGENT OR FOREIGN INSTRUMENTALITY.

''(a) IN GENERAL.—Upon a determination under subsection (c)(1), and subject to the procedures required under subsection (d), the Commission shall exclude from the United States on the basis of national security imports of articles that contain, were produced using, benefit from, or use any trade secret acquired through improper means or misappropriation by a foreign agent or foreign instrumentality.

''(b) INTERAGENCY COMMITTEE ON TRADE SECRETS.—

''(1) IN GENERAL.—There is established an Interagency Committee on Trade Secrets (in this section referred to as the 'Committee') to carry out the review and submission of allegations under paragraph (5) and such other duties as the President may designate.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall be comprised of the following voting members (or the designee of any such member):

''(i) The Secretary of the Treasury.

''(ii) The Secretary of Homeland Security.

''(iii) The Secretary of Commerce.

''(iv) The Attorney General.

''(v) The Intellectual Property Enforcement Coordinator.

''(vi) The head of such other Federal agency or other executive office as the President determines appropriate, generally or on a case-by-case basis.

''(B) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall serve as an ex officio, nonvoting member of the Committee.

''(3) CHAIRPERSON.—The Attorney General shall serve as the chairperson of the Committee.

''(4) MEETINGS.—The Committee shall meet upon the direction of the President or upon the call of the chairperson, without regard to section 552b of title 5, United States Code (if otherwise applicable).

''(5) UNFAIR TRADE PRACTICE REVIEW.—

''(A) REFERRAL TO COMMISSION.—The Committee shall—

''(i) review upon complaint under oath by the owner of a trade secret or on its own initiative any allegations that an article imported or to be imported into the United States is a covered article; and

''(ii) submit to the Commission a report including those allegations.

''(B) ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

''(i) IN GENERAL.—As part of the review conducted under subparagraph (A), the Director of National Intelligence shall expeditiously carry out a thorough analysis of any allegations under such subparagraph and shall incorporate the views of appropriate intelligence agencies with respect to those allegations.

''(ii) TIMING.—

''(I) IN GENERAL.—Not later than 20 days after the date on which the Committee begins review of the allegations under subparagraph (A), the Director of National Intelligence shall submit to the Committee the analysis required under clause (i).

''(II) SUPPLEMENTATION OR AMENDMENT.—Any analysis submitted under subclause (I) may be supplemented or amended as the Director of National Intelligence considers necessary or appropriate or upon request by the Committee for additional information.

''(III) BEGINNING OF ANALYSIS BEFORE REVIEW.—The Director of National Intelligence may begin an analysis under clause (i) of allegations under subparagraph (A) before review by the Committee of the allegations, in accordance with applicable law.

''(iii) INDEPENDENT ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall be provided with all notices received by the Committee regarding allegations under subparagraph (A) but shall serve no policy role on the Committee other than to provide analysis unless serving on the Committee under paragraph (2)(A)(vi).

''(c) EX PARTE PRELIMINARY REVIEW, INVESTIGATION, AND DETERMINATION.—

''(1) EX PARTE PRELIMINARY REVIEW.—Not later than 30 days after receipt of an allegation contained in a report under subsection (b)(5)(A)(ii) with respect to an article imported or to be imported into the United States, the Commission shall conduct a confidential, ex parte, preliminary review to determine whether there is a reasonable indication the article is more likely than not a covered article.

''(2) INVESTIGATION.—Not later than 150 days after an affirmative determination under paragraph (1), the Commission shall conduct an ex parte, in-depth investigation, which may include a hearing at the discretion of the Commission, to consider if that determination should be extended under paragraph (3).

''(3) EXTENSION, MODIFICATION, OR TERMINATION.—

''(A) IN GENERAL.—The Commission may extend, modify, or terminate a determination under paragraph (1) for good cause and as necessary and appropriate, as determined by the Commission in consultation with the Committee and based on the findings of the investigation conducted under paragraph (2).

''(B) RECONSIDERATION.—The Commission shall reconsider any extension, modification, or termination under subparagraph (A) of a determination under paragraph (1) upon the request of the Committee.

''(4) CONSIDERATION.—In conducting an preliminary review under paragraph (1) or an investigation under paragraph (2) with respect to an article, the Commission may consider the following:

''(A) If the article contains, was produced using, benefits from, or uses any trade secret acquired through improper means or misappropriation by a foreign agent or foreign instrumentality.

''(B) The national security and policy interests of the United States, as established by the Committee for purposes of this section.

''(5) DISCLOSURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), information submitted to the Commission or exchanged among the interested persons in connection with a preliminary review under paragraph (1) or an investigation under paragraph (2), including the owner of the trade secret with respect to which the investigation or hearing is connected, may not be disclosed except under a protective order issued pursuant to regulations prescribed by the Commission that authorizes limited disclosure of such information.

''(B) EXCEPTIONS.—The Commission may establish exceptions to the prohibition on disclosure under subparagraph (A), such as exceptions similar to the exceptions under section 337(n)(2).

''(6) PUBLICATION OF RESULTS.—Not later than 30 days after a determination under paragraph (1), the Commission shall publish notice of its determination in the Federal Register.

''(7) DESIGNATION OF LEAD AGENCY FROM COMMITTEE.—

''(A) IN GENERAL.—The Attorney General shall designate, as appropriate, a Federal agency or agencies represented on the Committee to be the lead agency or agencies on behalf of the Committee for each action under paragraphs (1) through (3).

''(B) DUTIES.—The duties of the lead agency or agencies designated under subparagraph (A), with respect to an action under paragraphs (1) through (3), shall include assisting in the action and coordinating activity between the Committee and the Commission.

''(8) CONSULTATION.—

''(A) IN GENERAL.—In conducting an action under paragraphs (1) through (3), the Commission shall consult with the heads of such other Federal agencies (or their designees) as the Commission determines appropriate on the basis of the facts and circumstances of the action.

''(B) COOPERATION.—The heads of Federal agencies consulted under subparagraph (A) for an action, and the agency or agencies designated under paragraph (7)(A), shall cooperate with the Commission in conducting the action, including by—

''(i) producing documents and witnesses for testimony; and

''(ii) assisting with any complaint or report or any analysis by the Committee.

''(9) INTERACTION WITH INTELLIGENCE COMMUNITY.—The Director of National Intelligence shall ensure that the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) remains engaged in the collection, analysis, and dissemination to the Commission of any additional relevant information that may become available during the course of any action conducted under paragraphs (1) through (3).

''(10) RULE OF CONSTRUCTION REGARDING SUBMISSION OF ADDITIONAL INFORMATION.—Nothing in this subsection shall be construed as prohibiting any interested person to an allegation described in subsection (b)(5)(A) from submitting additional information concerning the allegation while an action under paragraphs (1) through (3) with respect to the allegation is ongoing.

''(d) PROCEDURES FOR EXCLUSION.—

''(1) IN GENERAL.—If the Commission determines under subsection (c)(1) that it is more likely than not that an article to be imported into the United States is a covered article, not later than 30 days after receipt of the allegation described in that subsection with respect to that determination, the Commission shall—

''(A) direct through an order that the article concerned be excluded from entry into the United States under subsection (a); and

''(B) notify the President of that determination.

''(2) PRESIDENTIAL REVIEW.—If, before the end of the 15-day period beginning on the day after the date on which the President is notified under paragraph (1)(B) of the determination of the Commission under subsection (c)(1), the President disapproves of that determination and notifies the Commission of that disapproval, effective on the date of that notice, that determination shall have no force or effect.

''(3) ACTION BY SECRETARY OF THE TREASURY.—

''(A) NOTIFICATION.—Upon expiration of the 15-day period described in paragraph (2), or notification from the President of approval of the determination of the Commission under subsection (c)(1) before the expiration of that period, the Commission shall notify

the Secretary of the Treasury and the Secretary of Homeland Security of its action under subsection (a) to direct the exclusion of covered articles from entry.

''(B) REFUSAL OF ENTRY.—Upon receipt of notice under subparagraph (A) regarding the exclusion of covered articles from entry, the Secretary of the Treasury shall refuse the entry of those articles.

''(4) CONTINUATION IN EFFECT.—Any exclusion from entry of covered articles under subsection (a) shall continue in effect until the Commission—

''(A) determines that the conditions that led to such exclusion from entry do not exist; and

''(B) notifies the Secretary of the Treasury of that determination.

''(5) MODIFICATION OR RESCISSION.—

''(A) IN GENERAL.—An interested person may petition the Commission for a modification or rescission of an exclusion order under subsection (a).

''(B) REVISITATION OF EXCLUSION.—The Commission may modify or rescind the exclusion at any time at the discretion of the Commission.

''(C) BURDEN OF PROOF.—The burden of proof in any proceeding before the Commission regarding a petition made by an interested person under subparagraph (A) shall be on the interested person.

''(D) RELIEF.—A modification or rescission for which a petition is made under subparagraph (A) may be granted by the Commission—

''(i) on the basis of new evidence or evidence that could not have been presented at the prior proceeding; or

''(ii) on grounds that would permit relief from a judgment or order under the Federal Rules of Civil Procedure.

''(E) EVIDENTIARY STANDARD.—A modification or rescission may be made under subparagraph (A) if an interested person provides to the Commission clear and convincing evidence that such a modification or rescission should be made.

''(e) CIVIL ACTIONS.—

''(1) IN GENERAL.—A civil action challenging a determination by the Commission under subsection (a) may be brought only—

''(A) in the United States Court of Appeals for the Federal Circuit; and

''(B) not later than 60 days after a petition for modification or rescission under subsection (d)(5) with respect to that determination has been conclusively decided.

''(2) PROCEDURES FOR REVIEW OF PRIVILEGED INFORMATION.—If a civil action challenging an determination under subsection (a) is brought under paragraph (1) and the court determines that protected information in the administrative record, including classified or other information subject to privilege or protections under law, is necessary to resolve the challenge, that information shall be submitted ex parte and in camera to the court and the court shall maintain that information under seal.

''(3) APPLICABILITY OF USE OF INFORMATION PROVISIONS.—The use of information provisions of sections 106, 305, 405, and 706 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806, 1825, 1845, and 1881e) shall not apply in a civil action challenging an investigation or determination under this subsection.

''(f) INAPPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT.—

''(1) IN GENERAL.—The requirements of subchapter II of chapter 5 of title 5, United States Code, shall not apply to—

''(A) an action conducted by the Commission under paragraphs (1) through (3) of subsection (c); or

''(B) the procedures for exclusion under paragraphs (4) and (5) of subsection (d).

''(2) ADJUDICATION.—Any adjudication under this section shall not be subject to the requirements of sections 554, 556, and 557 of title 5, United States Code.

''(g) FREEDOM OF INFORMATION ACT EXCEPTION.—Section 552 of title 5, United States Code (commonly referred to as the 'Freedom of Information Act'), shall not apply to the activities conducted under this section.

''(h) REGULATIONS.—The Commission may prescribe such regulations as the Commission considers necessary and appropriate to carry out this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

''(j) DEFINITIONS.—In this section:

''(1) ARTICLE.—The term 'article' includes any article or component of an article, including digital or physical articles.

''(2) COVERED ARTICLE.—The term 'covered article' means an article subject to exclusion from the United States under subsection (a).

''(3) FOREIGN AGENT; FOREIGN INSTRUMENTALITY; IMPROPER MEANS; MISAPPROPRIATION; OWNER; TRADE SECRET.—The terms 'foreign agent', 'foreign instrumentality', 'improper means', 'misappropriation', 'owner', and 'trade secret' have the meanings given those terms in section 1839 of title 18, United States Code.

''(4) INTERESTED PERSON.—The term 'interested person', with respect to an allegation under subsection (b)(5)(A), means a person named in the allegation or otherwise identified by the Commission as having a material interest with respect to the allegation.''.

(c) CLERICAL AMENDMENT.—The table of contents for the Tariff Act of 1930 is amended by inserting after the item relating to section 341 the following:

''Sec. 342. National security exclusion for articles or components of articles that contain, were produced using, benefit from, or use trade secrets misappropriated or acquired through improper means by a foreign agent or foreign instrumentality.''.

SA 1872. Mr. CORNYN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division E, add the following:

SEC. 5214. COORDINATION OF SCREENING OF FOREIGN DIRECT INVESTMENT.

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

(1) Strategic investment through foreign direct investment has emerged as a threat posed by countries that do not abide by or respect the rules-based, global trading system.

(2) Such countries continue to exploit gaps in the uncoordinated and divided framework among countries that do abide by the rules-based, global trading system, both in developed countries by investments in critical technologies and supply chains and developing countries, while creating dependencies, debt traps, and exploitation of natural resources without improving the living conditions in such countries.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should work with other developed countries that abide by the rules-based, global trading system to improve the effectiveness of their screening of foreign direct investment through better coordination, including by—

(1) establishing a group dedicated to improving such screening at a forum of heads of state, such as the Group of 7;

(2) developing and agreeing to written best practices and a commitment to sharing relevant information at the ministerial level; and

(3) using technical assistance to assist developing countries in establishing foreign direct investment screening mechanisms.

(c) REPORT ON COORDINATION OF SCREENING OF FOREIGN DIRECT INVESTMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to appropriate committees of Congress a report on the work done as of the date of the report under section 721(c)(3) of the Defense Production Act of 1950 (50 U.S.C. 4565(c)(3)) to establish a formal process for the exchange of information relating to foreign investment with countries that are allies or partners of the United States.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a description of the work described in paragraph (1), including a list of the countries and engagements as of the date of the report conducted under section 721(c)(3) of the Defense Production Act of 1950;

(B) a description of the formal process established under that section;

(C) a table showing the amounts expended as of the date of the report under that section, disaggregated by fiscal year, country, and purpose;

(D) a description of plans to establish a forum at the Group of 7 or other forum to discuss international harmonization of foreign direct investment screening, best practices, and technical assistance to foreign countries, or any other actions taken or planned to achieve those same objectives; and

(E) any recommendations to Congress on ways to improve international harmonization of foreign direct investment screening, best practices, and technical assistance to foreign countries.

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

(A) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Financial Services, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

SA 1873. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 7 and 8, insert the following:

(5) CONDITIONS OF RECEIPT.—

(A) REQUIRED AGREEMENT.—A covered entity to which the Secretary of Commerce awards Federal financial assistance under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) or paragraph (3) of this subsection with amounts appropriated under this subsection shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance—

(i) the covered entity will not—

(I) repurchase an equity security that is listed on a national securities exchange of the covered entity or any parent company of the covered entity, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this Act;

(II) outsource or offshore jobs to a location outside of the United States;

(III) pay any officer or employee a salary in an amount that is greater than 50 times the median salary of employees during the period lasting one year after the end of the calendar quarter in which the Federal financial assistance is awarded;

(IV) abrogate existing collective bargaining agreements;

(V) consider any individual performing a service for the covered entity as an independent contractor, unless—

(aa) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of service and in fact;

(bb) the service is performed outside the usual course of the business of the covered entity; and

(cc) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the service performed; or

(VI) outsource labor for the covered entity to an independent contractor; and

(ii) the covered entity will—

(I) require any contractor or subcontractor for any construction project funded by the Federal financial assistance to enter into a pre-hire collective bargaining agreement or a project labor agreement; and

(II) remain neutral in any union organizing effort.

(B) FINANCIAL PROTECTION OF GOVERNMENT.—The Secretary of Commerce may not award Federal financial assistance to a covered entity under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) or paragraph (3) of this subsection with amounts appropriated under this subsection, unless—

(i)(I) the covered entity has issued securities that are traded on a national securities exchange; and

(II) the Secretary of the Treasury receives a warrant or equity interest in the covered business; or

(ii) in the case of any covered entity other than a covered entity described in clause (i), the Secretary of the Treasury receives, in the discretion of the Secretary of the Treasury—

(I) a warrant or equity interest in the covered entity; or

(II) a senior debt instrument issued by the covered entity.

(C) DEFINITIONS.—In this paragraph:

(i) COVERED PROJECT LABOR AGREEMENT.—The term ''covered project labor agreement'' means a project labor agreement that—

(I) binds all contractors and subcontractors on a construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents;

(II) allows all contractors and subcontractors to compete for contracts and subcontracts without regard to whether they are otherwise a party to a collective bargaining agreement;

(III) contains guarantees against strikes, lockouts, and other similar job disruptions;

(IV) sets forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the covered project labor agreement; and

(V) provides other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health.

(ii) PROJECT LABOR AGREEMENT.—The term ''project labor agreement'' means a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project and is described in section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)).

SA 1874. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3002, insert the following:

(29) Whereas PRC is an authoritarian government that does not democratically elect its president, the United States held its most secure election in history in November 2020 electing Joe Biden as President by a majority of both popular vote and the electoral college.

SA 1875. Ms. CORTEZ MASTO (for Mr. KING) proposed an amendment to the resolution S. Res. 194, celebrating the 149th anniversary of Arbor Day; as follows:

In the preamble, strike the tenth whereas clause and insert ''Whereas sustainably grown wood can be used in a wide variety of resilient infrastructure and building applications—from traditional timber framing to high-tech mass timber—and as a natural, renewable, and biodegradable material, the significant use of wood building materials in buildings and bridges helps decrease global carbon emissions;''.

SA 1876. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 3002 through 3004 and insert the following:

SEC. 3003. DEFINITIONS.

In this division:

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

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

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

(2) CCP.—The term ''CCP'' means the Chinese Communist Party.

(3) INDO-PACIFIC REGION.—The terms ''Indo-Pacific'' and ''Indo-Pacific region'' mean the 37 countries and the surrounding waterways that are under the area of responsibility of the U.S. Indo-Pacific Command. These countries are: Australia, Bangladesh, Bhutan, Brunei, Burma, Cambodia, China, Fiji, India, Indonesia, Japan, Kiribati, Laos, Malaysia, Maldives, Marshall Islands, Micronesia, Mongolia, Nauru, Nepal, New Zealand, North Korea, Palau, Papua New Guinea, Philippines, Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, Taiwan, Thailand, Timor-Leste, Tonga, Tuvalu, Vanuatu, and Vietnam.

(4) PEOPLE'S LIBERATION ARMY; PLA.—The terms ''People's Liberation Army'' and ''PLA'' mean the armed forces of the People's Republic of China.

(5) PRC; CHINA.—The terms ''PRC'' and ''China'' mean the People's Republic of China.

SA 1877. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division C, add the following:

SEC. 3117. PROHIBITION ON RESTRICTIONS ON POWER-GENERATION PROJECTS BY UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION IN CERTAIN COUNTRIES.

Section 1451 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9671) is amended by adding at the end the following:

''(j) PROHIBITION ON RESTRICTIONS ON POWER-GENERATION PROJECTS IN CERTAIN COUNTRIES.—

''(1) PROHIBITION ON CERTAIN RESTRICTIONS ON POWER-GENERATION PROJECTS.—The Corporation shall not implement or enforce any rule, regulation, policy, procedure, or guideline that would prohibit or restrict the source of energy used by a power-generation project the purpose of which is to provide affordable electricity in an IDA-eligible country or an IDA-blend country.

''(2) LIMITATION ON BOARD.—The Board of the Corporation shall not, whether directly or through authority delegated by the Board, reject a power-generation project in an IDA-eligible country or an IDA-blend country based on the source of energy used by the project.

''(3) ALL-OF-THE-ABOVE ENERGY DEVELOPMENT STRATEGY.—The Corporation shall promote a technology- and fuel-neutral, all-of-the-above energy development strategy for IDA-eligible countries and an IDA-blend

countries that includes the use of oil, natural gas, coal, hydroelectric, wind, solar, and geothermal power and other sources of energy.

''(4) DEFINITIONS.—In this subsection:

''(A) IDA-ELIGIBLE COUNTRY.—The term 'IDA-eligible country' means a country eligible for support from the International Development Association and not the International Bank for Reconstruction and Development.

''(B) IDA-BLEND COUNTRY.—The term 'IDA-blend country' means a country eligible for support from both the International Development Association and the International Bank for Reconstruction and Development.''.

SA 1878. Mr. MERKLEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. AUTHORIZATION OF APPROPRIATIONS RELATING TO PREVENTING IMPORTATION OF GOODS MADE WITH FORCED LABOR.

There is authorized to be appropriated $25,000,000 for each of fiscal years 2022 through 2026 for the Office of Trade of U.S. Customs and Border Protection for activities to strengthen enforcement actions and processes that prevent the importation of goods made with forced labor.

SA 1879. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2510(a)(1)(A)(i) of division B, insert ''(or, in the case of multi-sourced products, countries of origin)'' after ''origin of the product''.

In section 2510(a) of division B, insert the following at the end:

(4) OBLIGATION TO PROVIDE.—A manufacturer, distributor, seller, or private labeler seeking to have a product introduced, sold, advertised, or offered for sale in commerce shall provide the information identified in subparagraphs (A) and (B) of paragraph (1) to the relevant retailer or internet website marketplace.

(5) SAFE HARBOR.—A retailer or internet website marketplace satisfies the disclosure requirements under subparagraphs (A) and (B) of paragraph (1) by disclosing the country of origin and seller information provided by a manufacturer, distributor, seller, or private labeler of the product. If the retailer or internet website marketplace determines or has a reasonable basis to conclude that the information provided by a manufacturer, distributor, seller, or private labeler to the retailer or internet website marketplace for a product is false or deceptive, the retailer or internet website marketplace shall not be required to disclose such false or deceptive information and shall be deemed to meet the disclosure requirements under such subparagraphs (A) and (B) for that product.

In section 2510(b)(1) of division B, insert ''and except as provided for in paragraph (2),'' after ''provision of law,''.

In section 2510(b) of division B, insert the following at the end:

(3) LIMITATION OF LIABILITY.—A retailer or internet website marketplace is not in violation of this section or section 5 of the Federal Trade Commission Act (15 U.S.C. 45) if a manufacturer, importer, distributor, or private labeler provided the retailer or internet website marketplace with a false or deceptive representation as to the country of origin of a product or its parts or processing.

In section 2510(d) of division B, strike ''the date of enactment of this division'' and insert ''the date of the publication of the agreement under subsection (c)(3)(B)''.

SA 1880. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 4115(b)(2)(A), insert '', without regard to the origin of the raw material inputs, including stone, sand, and gravel'' after ''occurs in the United States''.

SA 1881. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, on line 20, insert ''Appointment as a program director under this section shall be voluntary, and the Director is not authorized to remove a program director during their appointed term unless for cause.'' after ''tor.''

Beginning on page 113, strike line 24 and all that follows through line 3 on page 115 and insert the following:

(3) DIRECT HIRE AUTHORITY.—

(A) IN GENERAL.—During fiscal year 2021 and any fiscal year thereafter, the head of any Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303, 3304(b), and 3328 of that title, a qualified candidate described in subparagraph (B) directly to a position in the competitive service with the Federal agency for which the candidate meets Office of Personnel Management qualification standards.

(B) FELLOWSHIP OR TEMPORARY ROTATIONAL POSTING.—Subparagraph (A) applies with respect to a former recipient of an award under this subsection who—

(i) earned a doctoral degree in a STEM field from an institution of higher education; and

(ii) successfully fulfilled the requirements of the fellowship or temporary rotational posting within a Federal agency.

(C) LIMITATION.—The direct hire authority under this paragraph shall be exercised with respect to a specific qualified candidate not later than 2 years after the date that the candidate completed the requirements related to the fellowship or temporary rotational posting described under this subsection.

(D) NUMBER.—The number of employees appointed and retained by the Federal Government under this paragraph shall not exceed 10 at any time.

Strike section 2204 and insert the following:

SEC. 2204. PERSONNEL MANAGEMENT AUTHORITIES FOR THE FOUNDATION.

(a) STUDY.—Not later than 30 days after the date of enactment of this division, the Director shall contract with the National Academy of Public Administration to conduct a study on the organizational and management structure of the Foundation, to—

(1) evaluate and make recommendations to efficiently and effectively implement the Directorate for Technology and Innovation;

(2) evaluate and make recommendations to ensure coordination of the Directorate for Technology and Innovation with other directorates and offices of the Foundation and other Federal agencies; and

(3) make recommendations for the management of the Foundation's business and personnel practices, including implementation of the new hiring authorities and program director authorities provided in section 2103.

(b) REVIEW.—Upon completion of the study under paragraph (1), the Foundation shall review the recommendations from the National Academy of Public Administration and provide a briefing to Congress on the plans of the Foundation to implement any such recommendations.

Strike section 2665 and insert the following:

SEC. 2665. APPOINTMENT AND COMPENSATION PILOT PROGRAM.

(a) DEFINITION OF COVERED PROVISIONS.—In this section, the term ''covered provisions'' means the provisions of title 5, United States Code, other than—

(1) section 2301 of that title;

(2) section 2302 of that title;

(3) chapter 33 of that title;

(4) chapter 71 of that title;

(5) chapter 72 of that title; and

(6) chapter 73 of that title.

(b) ESTABLISHMENT.—There is established a 3-year pilot program under which, notwithstanding section 20113 of title 51, United States Code, the Administrator may, with respect to not more than 3,000 designated personnel—

(1) appoint and manage such designated personnel of the Administration, without regard to the covered provisions; and

(2) fix the compensation of such designated personnel of the Administration, without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, at a rate that does not exceed the per annum rate of salary of the Vice President of the United States under section 104 of title 3, United States Code.

(c) ADMINISTRATOR RESPONSIBILITIES.—In carrying out the pilot program established under subsection (b), the Administrator shall ensure that the pilot program—

(1) uses—

(A) state-of-the-art recruitment techniques;

(B) simplified classification methods with respect to personnel of the Administration; and

(C) broad banding; and

(2) offers—

(A) competitive compensation; and

(B) the opportunity for career mobility.

(d) REPORT.—Not later than 2 years after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) describes in detail—

(A) the use of the pilot program hiring authority under this section, including pay, qualifications, and classification of individuals hired under such authority;

(B) the methods for recruitment under the program; and

(C) efforts being made by the NASA to address any compensation equity issue that may arise as a result of the program;

(2) analyzes the impact of the program on participants, disaggregated by demographic factors including age, race, ethnicity, gender, education, compensation, and job classification;

(3) compares the demographics of the program participants with the demographics of NASA employees outside the program;

(4) assesses the morale and engagement of the NASA workforce participating in the program, as compared to the morale and engagement of the NASA workforce outside the program; and

(5) makes recommendations with respect to the continuation, modification, or permanent codification of the program.

Strike section 2669 and insert the following:

SEC. 2669. SEPARATIONS AND RETIREMENT INCENTIVES.

(a) IN GENERAL.—Section 20113 of title 51, United States Code, is amended by adding at the end the following:

''(o) PROVISIONS RELATED TO SEPARATION AND RETIREMENT INCENTIVES.—

''(1) DEFINITION.—In this subsection, the term 'employee'—

''(A) means an employee of the Administration serving under an appointment without time limitation; and

''(B) does not include—

''(i) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5 or any other retirement system for employees of the Federal Government;

''(ii) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under any of the retirement systems referred to in clause (i); or

''(iii) for purposes of eligibility for separation incentives under this subsection, an employee who is in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

''(2) AUTHORITY.—The Administrator may establish a program under which employees may be eligible for early retirement, offered separation incentive pay to separate from service voluntarily, or both. This authority may be used to reduce the number of personnel employed or to restructure the workforce to meet mission objectives without reducing the overall number of personnel. This authority is in addition to, and notwithstanding, any other authorities established by law or regulation for such programs.

''(3) EARLY RETIREMENT.—An employee who is at least 50 years of age and has completed 20 years of service, or has at least 25 years of service, may, pursuant to regulations promulgated under this subsection, apply and be retired from the Administration and receive benefits in accordance with subchapter III of chapter 83 or 84 of title 5 if the employee has been employed continuously within the Administration for more than 30 days before the date on which the determination to conduct a reduction or restructuring within 1 or more Administration centers is approved.

''(4) LIMITATIONS ON REEMPLOYMENT.—

''(A) An employee who receives separation pay under such program may not be reemployed by the Administration for a 12-month period beginning on the effective date of the employee's separation, unless this prohibition is waived by the Administrator on a case-by-case basis.

''(B) An employee who receives separation pay under this section on the basis of a separation and accepts employment with the Government of the United States, or who commences work through a personal services contract with the United States within 5 years after the date of the separation on which payment of the separation pay is based, shall be required to repay the entire amount of the separation pay to the Administration. If the employment is with an Executive agency (as defined by section 105 of title 5) other than the Administration, the Administrator may, at the request of the head of that agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is within the Administration, the Administrator may waive the repayment if the individual involved is the only qualified applicant available for the position. If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

''(5) REGULATIONS.—Under the program established under paragraph (2), early retirement and separation pay may be offered only pursuant to regulations established by the Administrator, subject to such limitations or conditions as the Administrator may require.

''(6) USE OF EXISTING FUNDS.—The Administrator shall carry out this subsection using amounts otherwise made available to the Administrator and no additional funds are authorized to be appropriated to carry out this subsection.''.

(b) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

Subchapter II of chapter 35 of title 5, United States Code, is amended—

(1) in section 3521—

(A) by striking paragraph (1) and inserting the following:

''(1) 'agency'—

''(A) means an Executive agency as defined under section 105 (other than the Government Accountability Office); and

''(B) includes the National Aeronautics and Space Administration; and''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''and'' at the end;

(ii) in subparagraph (B)(vi)(III), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) shall include an employee of the National Aeronautics and Space Administration appointed in accordance with paragraph (1) or (2) of section 20113(b) of title 51, without regard to any other provision of such section 20113(b).''; and

(2) in section 3523(b)(3)(B), by inserting '', or, with respect to an employee of the National Aeronautics and Space Administration, including an employee described in section 3521(2)(C), not to exceed $40,000'' after ''$25,000''.

SA 1882. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, add the following:

SEC. 3314. PROHIBITION ON PROCUREMENT OF CLEAN AND ZERO EMISSION VEHICLES FROM SOURCES USING FORCED OR CHILD LABOR.

No Federal funds may be obligated or expended for the procurement of clean or zero-emission vehicles for Federal, State, local, or Tribal government fleets, including vehicles of the United States Postal Service, until 45 days after the President certifies to Congress that the vehicles so procured do not contain materials that were sourced, processed, or produced—

(1) in the Xinjiang Uyghur Autonomous Region or in facilities located outside Xinjiang that use labor or goods from Xinjiang;

(2) with child labor, as such term is defined in Article 3 of the International Labor Organization Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labor (December 2, 2000), or in violation of human rights; or

(3) with forced labor, as such term is defined section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SA 1883. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—ONSHORING RARE EARTHS ACT

SEC. _____1. PERMANENT FULL EXPENSING FOR PROPERTY USED TO EXTRACT CRITICAL MINERALS AND METALS WITHIN THE UNITED STATES.

(a) IN GENERAL.—Section 168(k) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(11) SPECIAL RULE FOR PROPERTY USED IN THE EXTRACTION OF CRITICAL MINERALS AND METALS WITHIN THE UNITED STATES.—

''(A) IN GENERAL.—In the case of any qualified property which is directly involved in extracting critical minerals and metals from deposits in the United States—

''(i) paragraph (2)(A)(iii) shall not apply, and

''(ii) the applicable percentage shall be 100 percent.

''(B) CRITICAL MINERALS AND METALS.—For purposes of this paragraph, the term 'critical minerals and metals' means cerium, cobalt, dysprosium, erbium, europium, gadolinium, graphite, holmium, lanthanum, lithium, lutetium, manganese, neodymium, praseodymium, promethium, samarium, scandium, terbium, thulium, ytterbium, and yttrium.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2020.

SEC. _____2. PERMANENT FULL EXPENSING FOR NONRESIDENTIAL REAL PROPERTY USED IN THE EXTRACTION OF CRITICAL MINERALS AND METALS WITHIN THE UNITED STATES.

(a) IN GENERAL.—Section 168 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(n) SPECIAL ALLOWANCE FOR NONRESIDENTIAL REAL PROPERTY USED IN THE EXTRACTION OF CRITICAL MINERALS AND METALS WITHIN THE UNITED STATES.—

''(1) NEW STRUCTURES.—In the case of any qualified real property—

''(A)(i) if such property is placed in service on or after the date of enactment of this subsection, the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall include an allowance equal to 100 percent of the adjusted basis of such property, or

''(ii) if such property was placed in service before the date of enactment of this subsection, the depreciation deduction provided by section 167(a) for the first taxable year beginning after such date shall include an allowance equal to 100 percent of the adjusted basis of such property, and

''(B) the adjusted basis of such property shall be reduced by the amount of such deduction before computing the amount otherwise allowable as a depreciation deduction under this chapter for such taxable year and any subsequent taxable year.

''(2) QUALIFIED REAL PROPERTY.—For purposes of this subsection, the term 'qualified real property' means any nonresidential real property which is directly involved in extracting critical minerals and metals (as defined in subsection (k)(11)(B)) from deposits in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. _____3. DEDUCTION FOR PURCHASE OF CRITICAL MINERALS AND METALS EXTRACTED WITHIN THE UNITED STATES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 176 the following new section:

''SEC. 177. DEDUCTION FOR PURCHASE OF CRITICAL MINERALS AND METALS EXTRACTED WITHIN THE UNITED STATES.

''(a) ALLOWANCE OF DEDUCTION.—There shall be allowed as a deduction for the taxable year an amount equal to 200 percent of the cost paid or incurred by the taxpayer for the purchase or acquisition of critical minerals and metals (as defined in section 168(k)(11)(B)) which have been extracted from deposits in the United States.

''(b) APPLICATION WITH OTHER DEDUCTIONS.—No deduction shall be allowed under any other provision of this chapter with respect to any expenditure with respect to which a deduction is allowed or allowable under this section to the taxpayer.''.

(b) CONFORMING AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 176 the following new item:

''Sec. 177. Deduction for purchase of critical minerals and metals extracted within the United States.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2020.

SA 1884. Mr. CRUZ (for himself, Mr. JOHNSON, Mr. BARRASSO, Mr. COTTON, and Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, add the following:

SEC. 3219L. IMPOSITION OF SANCTIONS UNDER PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019 WITH RESPECT TO NORD STREAM 2.

Not later than 15 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsections (b) and (c) of section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92; 22 U.S.C. 9526 note) with respect to the following:

(1) Nord Stream 2 AG.

(2) Matthias Warnig.

(3) Paul Corcoran.

(4) Marco Casirati.

(5) Reinhard Ontyd.

(6) Pavel Persidskii.

(7) Any other corporate officer of or principal shareholder with a controlling interest in Nord Stream 2 AG.

SA 1885. Mr. HAGERTY (for himself, Mr. INHOFE, Mr. SHELBY, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. TILLIS, Mr. CORNYN, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 4111, strike paragraph (5).

In section 4112(2), strike subparagraphs (A) through (C) and insert the following:

(A) all iron and steel used in the project are produced in the United States; or

(B) the manufactured products used in the project are produced in the United States.

In section 4112(6), strike subparagraphs (A) through (C) and insert the following:

(A) in the case of iron or steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; and

(B) in the case of manufactured products, that—

(i) the manufactured product was manufactured in the United States; and

(ii) the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

In section 4114(a), strike ''manufactured products, and construction materials'' and insert ''and manufactured products''.

In section 4114(b)(2), strike ''manufactured products, or construction materials'' and insert ''or manufactured products''.

In section 4114(b)(3), strike ''manufactured products, or construction materials'' and insert ''or manufactured products''.

In section 4115, strike subsection (b).

In section 4116(c), strike ''manufactured product, or construction material'' and insert ''or manufactured product''.

In section 4117(a), strike ''manufactured products, and construction materials'' and insert ''and manufactured products''.

SA 1886. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REPORT ON RESEARCH AND DEVELOPMENT EXPENDITURES BY ALL EXECUTIVE AGENCIES.

Not later than 60 after the date of enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Office of Science and Technology Policy, shall submit to Congress a report providing a detailed assessment of expenditures for research and development by all Executive agencies (as defined in section 105 of title 5, United States Code) during fiscal years 2017 through 2021.

SA 1887. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 2219. GAO REPORT ON DUPLICATION.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing the research and

development authorities provided by law across the Federal Government and where they overlap or are duplicative.

SA 1888. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 2005, insert the following:

SEC. 2006. EFFECTIVE DATE.

(a) EFFECTIVE DATE.—Division B and the amendments made by division B shall take effect on the date that is 60 days after the date of enactment of the certifying joint resolution.

(b) CERTIFYING JOINT RESOLUTION.—In this section the term ''certifying joint resolution'' means a joint resolution—

(1) which does not have a preamble;

(2) the title of which is as follows ''Joint resolution certifying that the report under section 9412 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) has been submitted to Congress.''; and

(3) the matter after the resolving clause of which is as follows: ''That Congress certifies that the report required under section 9412 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) has been submitted to Congress.''.

SA 1889. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTING AMERICANS AGAINST FENTANYL AND OTHER SYNTHETIC OPIOIDS.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) fentanyl and other synthetic opioids, which are being smuggled into the United States and killing tens of thousands of Americans annually, shall be treated as weapons of mass destruction; and

(2) all cabinet officials and other Government officers shall, in advancing American interests by working with other countries and international organizations, advocate for treating fentanyl and other synthetic opioids as weapons of mass destruction.

(b) HOMELAND SECURITY ACT OF 2002.—Section 1921 of the Homeland Security Act of 2002 (6 U.S.C. 591g) is amended by inserting ''fentanyl or synthetic opioid,'' after ''chemical,''.

(c) CRIMINAL CODE.—Section 2332a(c)(2) of title 18, United States Code, is amended—

(1) in subparagraph (C), by striking ''or'' at the end;

(2) in subparagraph (D), by striking ''and'' at the end and inserting ''or''; and

(3) by adding at the end the following:

''(E) illicit fentanyl, fentanyl analogues, or synthetic opioids; and''.

SA 1890. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS TO SUPPORT GAIN-OF-FUNCTION RESEARCH IN THE PEOPLE'S REPUBLIC OF CHINA.

None of the funds appropriated or authorized to be appropriated by this Act or any other Act may be used to support any gain-of-function research in the People's Republic of China.

SA 1891. Mr. LEE (for himself, Mr. RUBIO, Mr. DAINES, Mr. SCOTT of Florida, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON RESEARCH.

None of the activities authorized by this Act may include, conduct, or support any research—

(1) using fetal tissue obtained from an induced abortion or any derivatives thereof;

(2) in which a human embryo is created or destroyed, discarded, or put at risk of injury;

(3) in which an embryo-like entity is created wholly or in part from human cells or components;

(4) in which a human embryo is intentionally created or modified to include a heritable genetic modification; or

(5) using any stem cell the derivation of which would be inconsistent with the standards established herein.

SA 1892. Mr. BLUNT (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2507(b)(3)(C), strike ''by any prior or subsequent Act,''.

In section 2507, add at the end the following:

(e) LIMITATION.—Amounts must be provided in advance in appropriations Acts for such purposes in order to exercise the authorities provided by this section.

SA 1893. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division F, insert the following:

SEC. _____. TREATMENT OF EXEMPTIONS, RECORDKEEPING, AND CERTAIN COMMUNICATIONS UNDER FARA.

(a) LIMITATION ON EXEMPTIONS.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613), is amended—

(1) in each of subsections (a) through (f), by striking the semicolon at the end of the subsection and inserting a period;

(2) in subsection (d)—

(A) by striking ''the provisions of the Act of November 4, 1939, as amended (54 Stat. 4), and such rules and regulations as may be prescribed thereunder'' and inserting ''the Neutrality Act of 1939 (22 U.S.C. 441 et seq.) (including any regulations promulgated pursuant to that Act)'';

(B) by striking ''(3) in the'' and inserting the following:

''(C) the'';

(C) in the matter preceding subparagraph (C) (as so designated), by striking ''such foreign principal; or (2) in other'' and inserting the following: ''the foreign principal;

''(B) other''; and

(D) in the matter preceding subparagraph (B) (as so designated), by striking ''only (1) in private'' and inserting the following: ''only in—

''(A) private'';

(3) in subsection (f)—

(A) by striking the second sentence and inserting the following:

''(B) On provision of notice to the applicable person or employee, or to the government of which a person is an agent or employee, the Attorney General, having due regard for the public interest and national defense—

''(i) on approval of the Secretary of State, may terminate, in whole or in part, the exemption of the person or employee under this paragraph; and

''(ii) on receipt of a request of the Secretary of State, shall terminate, in whole or in part, the exemption of the person or employee under this paragraph.''; and

(B) in the first sentence—

(i) by striking ''disclosed therein, and (3) such government'' and inserting the following: ''disclosed in the communication or expression; and

''(iii) the applicable government'';

(ii) in the matter preceding clause (iii) (as so designated), by striking ''States, (2) each'' and inserting the following: ''States;

''(ii) each'';

(iii) in the matter preceding clause (ii) (as so designated), by striking ''while, (1) such person'' and inserting the following: ''during the period in which—

''(i) the person''; and

(iv) in the matter preceding clause (i) (as so designated), by striking ''Any person, or employee of such person,'' and inserting ''(A) Subject to subparagraph (B), any person (or employee of a person)'';

(4) in subsection (g), by striking ''States: *Provided*, That for the purpose of this subsection'' and inserting ''States, subject to the condition that, for purposes of this subsection,'';

(5) by redesignating subsections (a) through (h) as paragraphs (1) through (8), respectively, and indenting the paragraphs appropriately;

(6) by striking the section designation and heading and all that follows through ''hereof'' in the matter preceding paragraph (1) (as so redesignated) and inserting the following:

''SEC. 3. EXEMPTIONS.

''(a) IN GENERAL.—Subject to subsection (b), the requirements of section 2(a)''; and

(7) by adding at the end the following:

''(b) LIMITATION FOR HUMAN RIGHTS ABUSES.—The exemptions under paragraphs (3), (4), (5), and (8) of subsection (a) shall not apply to any foreign principal or agent of a foreign principal that is included on the list maintained by the Attorney General under section 5(b)(2).''.

(b) BOOKS AND RECORDS.—

(1) LIST OF FOREIGN PRINCIPALS THAT VIOLATE HUMAN RIGHTS.—Section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615), is amended—

(A) in the fourth sentence—

(i) by striking ''the provisions of this section'' and inserting ''this subsection''; and

(ii) by striking ''It shall be'' and inserting the following:

''(4) PROHIBITION.—It shall be'';

(B) in the third sentence, by striking ''Such books and records'' and inserting the following:

''(3) AVAILABILITY.—The books and records required to be maintained under this subsection'';

(C) in the second sentence, by striking ''Until regulations are in effect under this section every'' and inserting the following:

''(2) PERIOD PRECEDING REGULATIONS.—During the period beginning on the date of enactment of this section and ending on the date on which regulations are in effect under this section, each'';

(D) by striking the section designation and heading and all that follows through the end of the first sentence and inserting the following:

''SEC. 5. BOOKS OF ACCOUNT AND RECORDS; LIST OF FOREIGN PRINCIPALS THAT VIOLATE HUMAN RIGHTS; INCLUSION OF CRYPTOCURRENCY.

''(a) BOOKS OF ACCOUNT AND RECORDS.—

''(1) REQUIREMENTS FOR AGENTS OF FOREIGN PRINCIPALS.—Subject to paragraph (2), each agent of a foreign principal that is registered under this Act shall—

''(A) maintain, during the period of service as an agent of a foreign principal, all books of account and other records with respect to the activities of the agent of a foreign principal the disclosure of which is required under this Act, in accordance with such business and accounting practices as the Attorney General, having due regard for the national security and the public interest, determines, by regulation, to be necessary or appropriate for the enforcement of this Act; and

''(B) preserve the books and records described in subparagraph (A) for a period of not less than 3 years after the date of termination of the status of the agent as an agent of a foreign principal.''; and

(E) by adding at the end the following:

''(b) LIST OF FOREIGN PRINCIPALS THAT VIOLATE HUMAN RIGHTS.—

''(1) FURNISHMENT BY STATE DEPARTMENT.—

''(A) IN GENERAL.—The Secretary of State shall provide to the Attorney General a list of, and any relevant information relating to, each foreign principal that is prohibited from receiving assistance under—

''(i) part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) by reason of the application of section 116 of that Act (22 U.S.C. 2151n); or

''(ii) part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) by reason of the application of section 502B of that Act (22 U.S.C. 2304).

''(B) UPDATES.—The Secretary of State shall update the list and any related information under subparagraph (A) as the Secretary determines to be necessary and appropriate.

''(2) MAINTENANCE BY ATTORNEY GENERAL.—The Attorney General shall, for purposes of this Act—

''(A) use the list and any related information provided by the Department of State under paragraph (1) to maintain a list of all foreign principals described in paragraph (1)(A); and

''(B) share with the Secretary of State any relevant information relating to a foreign principal included on that list.''.

(2) INCLUSION OF CRYPTOCURRENCY.—Section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615) (as amended by paragraph (1)), is amended by adding at the end the following:

''(c) INCLUSION OF CRYPTOCURRENCY.—Notwithstanding any other provision of law, any reference contained in this Act to any type of loan or payment (including a disbursement, compensation, financing, a subsidy, a contribution, a subscription, aid, assistance, a fee, a charge, a fine, furnishment, or remuneration), funds (including accounts, money, income, or amounts), a thing of value, trade, or commerce shall include the use, in the applicable transaction, of cryptocurrency.''.

(3) CONFORMING AMENDMENTS.—Section 7 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 617), is amended—

(A) in the third sentence—

(i) by striking ''any such agent'' and inserting ''any organization acting as an agent''; and

(ii) by striking ''In case'' and inserting the following:

''(2) LIABLE PERSONS.—In the case'';

(B) in the second sentence, by striking ''Dissolution'' and inserting the following:

''(b) ORGANIZATIONS AS AGENTS.—

''(1) IN GENERAL.—The dissolution''; and

(C) in the first sentence—

(i) by striking ''as and when such filing is required under sections 2(a) and 2(b) hereof'' and inserting ''in any case in which such a filing is required under subsection (a) or (b) of section 2,'';

(ii) by striking ''and 5'' and inserting ''and 5(a)''; and

(iii) by striking the section designation and all that follows through ''Each officer'' and inserting the following:

''SEC. 7. LIABILITY OF OFFICERS.

''(a) IN GENERAL.—Each officer''.

(c) APPLICABILITY.—Section 9 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 619), is amended—

(1) by striking the section designation and heading and all that follows through ''This Act'' and inserting the following:

''SEC. 9. APPLICABILITY OF ACT.

''(a) IN GENERAL.—This Act''; and

(2) by adding at the end the following:

''(b) LIMITED-CHARACTER ELECTRONIC MEDIA COMMUNICATIONS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, each disclosure, filing, and statement (including a statement for purposes of labeling under section 4) required to be made by a foreign principal under this Act (including regulations) shall be required to accompany any text, message, statement, or other communication of an agent of a foreign principal through a limited-character electronic medium, such as—

''(A) a banner ad; or

''(B) any other social media platform in which a character limitation normally would prevent such a communication from including a disclaimer or label on the same Internet webpage or electronic platform as the communication.

''(2) UNIVERSAL SYMBOL OR CHARACTER.—

''(A) IN GENERAL.—As soon as practicable after the date of enactment of this subsection, the Attorney General shall develop a universal symbol or character for use in indicating that a disclosure, filing, or statement under paragraph (1) is required to accompany a communication described in that paragraph.

''(B) PUBLICATION.—The Attorney General shall make publicly available the meaning of the character or symbol developed under subparagraph (A) for purposes of—

''(i) the enforcement of this Act; and

''(ii) public awareness, generally.

''(3) ENFORCEMENT.—The Attorney General may carry out such actions as the Attorney General determines to be necessary and appropriate to enforce the requirements of this subsection.''.

SA 1894. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE IV—DEFENSE SUPPLY CHAIN SECURITY

SEC. 6401. SHORT TITLE.

This title may be cited as the ''Defense Supply Chain Security Act of 2021''.

SEC. 6402. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) rising risks associated with near-peer global competition to the diffuse United States supply chains of critical defense technologies in the United States defense industrial base pose an emergent threat; and

(2) should the President or the President's designee need to develop a plan of action to form voluntary agreements under section 708(c) the Defense Production Act of 1950 (50 U.S.C. 4558(C)), such plan or agreements must take into account emerging technology that is critical to United States national security, with respect to the following:

(A) Microelectronics.

(B) Advanced manufacturing.

(C) Hypersonics.

(D) Directed energy.

(E) Advanced communications.

(F) Unmanned aerial systems.

(G) Advanced robotics.

(H) Artificial intelligence and machine learning.

(I) Quantum technology.

(J) Other emerging technologies as they are developed.

SEC. 6403. JOINT COMMITTEE ON DEFENSE PRODUCTION.

(a) AUTHORIZATION.—There shall be a joint congressional committee known as the Joint Committee on Defense Production (in this section referred to as the ''Joint Committee'').

(b) MEMBERSHIP.—

(1) NUMBER.—The Joint Committee shall be composed of 10 members, as follows:

(A) Three members appointed by the Majority Leader of the Senate.

(B) Two members appointed by the Minority Leader of the Senate.

(C) Three members appointed by the Speaker of the House of Representatives.

(D) Two members appointed by the Minority Leader of the House of Representatives.

(2) VACANCIES.— A vacancy in the Joint Committee—

(A) shall not affect the powers of the remaining members to execute the functions of the Joint Committee; and

(B) shall be filled in the same manner in which the membership was originally filled.

(3) ALLOWANCES.—The members of the Joint Committee shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Joint Committee, other than expenses in connection with meetings of the Joint Committee held in the District of Columbia during such times as Congress is in session.

(4) CHAIR; VICE CHAIR.—The Chair and Vice Chair of the Joint Committee shall alternate between one of the members appointed by the Majority Leader of the Senate and one of the members appointed by the Speaker of the House of Representatives, with the former serving as the Chair in each odd-numbered Congress and the latter serving as the Chair in each even-numbered Congress.

(c) STAFF.—

(1) CHIEF OF STAFF.—The Joint Committee shall have power to appoint and fix the compensation of the Chief of Staff of the Joint Committee.

(2) PERMANENT STAFF.—The Joint Committee shall have the power to employ and fix the compensation of a permanent staff to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair. The staff shall serve the Joint Committee jointly on a professional, non-partisan basis.

(3) CLERICAL, STENOGRAPHIC, AND OTHER ASSISTANTS.—The Joint Committee shall have power to appoint and fix the compensation of clerical, stenographic, and other assistants to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair.

(4) ACCESS TO NATIONAL SECURITY AND INTELLIGENCE INFORMATION.—The Chief of Staff and permanent staff of the Joint Committee shall have access to all national security and intelligence information necessary to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair.

(d) PAYMENT OF EXPENSES.—The expenses of the Joint Committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the Chair or the Vice Chair.

(e) DUTIES.—The Joint Committee shall—

(1) study the defense industrial base on a continuing basis, including reviewing progress achieved in the execution and administration of programs that contribute to the security, reliability, and resiliency of the defense industrial base;

(2) upon request, aid the standing committees of Congress having legislative jurisdiction over any part of the programs authorized by this title;

(3) make periodic reports to the Senate and the House of Representatives concerning the results of its studies, together with such recommendations as it may consider appropriate;

(4) establish and maintain procedures for the preservation of critical technologies, as described in subsection (f);

(5) study the industrial mobilization plans and procedures of the Department of Defense to execute a military conflict scenario consistent with the scenario used by the Secretary of Defense for budgeting and defense planning purposes, with a particular focus on the integration of the private sector, government-owned and contractor-operated facilities, and the organic industrial base; and

(6) consult with the Assistant Secretary of Defense for Industrial Base Policy in the execution of duties covered under this paragraph.

(f) TIERED SCHEDULE OF CRITICAL SUPPLY CHAINS.—

(1) IN GENERAL.—In consultation with the Assistant Secretary of Defense for Industrial Base Policy, the Joint Committee shall establish and maintain a taxonomy for characterizing the defense industrial base and making recommendations to preserve critical technologies, identified as such by the Joint Committee.

(2) PRESERVATION OF CRITICAL TECHNOLOGIES.—At minimum, the Joint Committee shall make recommendations for the preservation of critical technologies in the following tiers:

(A) Tier 1: Supply chains, inputs, raw materials, and labor that should be sourced entirely from United States entities, without exception and in accordance with paragraph (3).

(B) Tier 2: Supply chains, inputs, raw materials, and labor that should be sourced either from United States entities or from entities owned and controlled by foreign nationals in United States allies and foreign nations that have entered into formal agreements with the Department of Defense, including through reciprocal defense procurement agreements or security of supply agreements.

(C) Tier 3: Supply chains, inputs, raw materials, and labor that should be sourced from any source other than a prohibited source, as defined under section 2533c of title 10, United States Code.

(D) Tier 4: Supply chains, inputs, raw materials, and labor that may be sourced without restriction.

(3) TIER 1 SOURCING REQUIREMENT.—Supply chains, inputs, raw materials, and labor designated Tier 1 pursuant to paragraph (2)(A) may not be sourced from United States entities or entities owned and controlled by foreign nationals in United States allies and foreign nations that are—

(A) designated as a foreign terrorist organization by the Secretary of State under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the SDN list);

(C) owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country that is a covered nation (as defined under section 2533c(d) of title 10, United States Code);

(D) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under—

(i) chapter 37 of title 18, United States Code (commonly known as the ''Espionage Act'');

(ii) section 951 or 1030 of title 18, United States Code;

(iii) chapter 90 of title 18, United States Code (commonly known as the ''Economic Espionage Act of 1996'');

(iv) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(v) section 224, 225, 226, 227, or 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275, 2276, 2277, and 2284);

(vi) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(vii) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(E) determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States.

(g) POWERS.—The Joint Committee may hold hearings, sit and act at such times and places, require by subpoena (to be issued under the signature of the Chair or Vice Chair of the Joint Committee) or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such expenditures as it considers advisable.

(h) UNITED STATES ENTITY DEFINED.—In this section, the term ''United States entity'' means an entity—

(1) not less than 50 percent of the equity interest in which is owned by citizens or nationals of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(2) that maintains its headquarters and the majority of its production facilities in the United States.

SEC. 6404. COMPTROLLER GENERAL REPORT ON ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.

Not later than 2 years after the confirmation of the first Assistant Secretary of Defense for Industrial Base Policy under section 138 of title 10, United States Code, as amended by section 903 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Joint Committee on Defense Production a report on the strategy, effectiveness, and responsibilities of the Assistant Secretary of Defense for Industrial Base Policy.

SA 1895. Mr. KAINE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3114 and insert the following:

SEC. 3114. INFRASTRUCTURE TRANSACTION AND ASSISTANCE NETWORK.

(a) AUTHORITY.—The Secretary of State is authorized to establish an initiative, to be known as the ''Infrastructure Transaction and Assistance Network'', under which the Secretary of State, in consultation with other relevant Federal agencies, including those represented on the Global Infrastructure Coordinating Committee, may carry out various programs to advance the development of sustainable, transparent, and high-quality physical and digital infrastructure in the Indo-Pacific and Latin America and Caribbean regions by—

(1) strengthening capacity-building programs to improve project evaluation processes, regulatory and procurement environments, and project preparation capacity of countries that are partners of the United States in such development;

(2) providing transaction advisory services and project preparation assistance to support sustainable infrastructure; and

(3) coordinating the provision of United States assistance for the development of infrastructure, including infrastructure that utilizes United States manufactured goods and services, and catalyzing investment led by the private sector.

(b) TRANSACTION ADVISORY FUND.—As part of the ''Infrastructure Transaction and Assistance Network'' described under subsection (a), the Secretary of State is authorized to provide support, including through the Transaction Advisory Fund, for advisory services to help boost the capacity of partner countries to evaluate contracts and assess the financial, environmental, and digital security impacts of potential infrastructure projects, including through providing services such as—

(1) legal services;

(2) project preparation and feasibility studies;

(3) debt sustainability analyses;

(4) digital vulnerability analyses;

(5) bid or proposal evaluation; and

(6) other services relevant to advancing the development of sustainable, transparent, and high quality infrastructure.

(c) STRATEGIC INFRASTRUCTURE FUND.—

(1) IN GENERAL.—As part of the ''Infrastructure Transaction and Assistance Network'' described under subsection (a), the Secretary of State is authorized to provide support, including through the Strategic Infrastructure Fund, for technical assistance, project preparation, pipeline development, and other infrastructure project support.

(2) JOINT INFRASTRUCTURE PROJECTS.—Funds authorized for the Strategic Infrastructure Fund should be used in coordination with the Department of Defense, the International Development Finance Corporation, like-minded donor partners, and multilateral banks, as appropriate, to support joint infrastructure projects in the Indo-Pacific and Latin America and Caribbean regions.

(3) STRATEGIC INFRASTRUCTURE PROJECTS.—Funds authorized for the Strategic Infrastructure Fund should be used to support strategic infrastructure projects that are in the national security interest of the United States and vulnerable to strategic competitors.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, for each of fiscal years 2022 to 2026, $125,000,000 to the Infrastructure Transaction and Assistance Network, of which $35,000,000 is to be provided for the Transaction Advisory Fund.

SA 1896. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 2645, insert the following:

SEC. 2645A. ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.

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

(1) Section 60501 of title 51, United States Code, states that the goal of the Administration's Earth science program is ''to pursue a program of Earth observations, research, and applications activities to better understand the Earth, how it supports life, and how human activities affect its ability to do so in the future''.

(2) Section 50115 title 51, United States Code, directs the Administrator to acquire space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(3) In 2019, the Administrator established the Commercial SmallSat Data Acquisition Pilot Program to identify, evaluate, and acquire data from commercial sources that support NASA's Earth science research and application goals, and NASA has—

(A) determined, in its 2020 final evaluation entitled ''Commercial SmallSat Data Acquisition Program Pilot Evaluation Report'', that the program has been a success;

(B) expanded its procurement arrangements with commercial vendors to provide Earth remote sensing data and imagery to NASA-funded scientists; and

(C) sought to increase the number of commercial vendors, expand acquisition of commercial data products, and broaden user access despite a lack of corresponding growth in the program's budget.

(b) ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.—

(1) IN GENERAL.—Chapter 603 of title 51, United States Code, is amended by adding at the end the following:

''§ 60307. Commercial SmallSat Data program

''(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this section, the Administrator shall establish within the Earth Science Division of the Science Mission Directorate a program, to be known as the 'Commercial SmallSat Data Program' (referred to in this section as the 'Program'), to procure and disseminate commercial Earth observation data and imagery.

''(b) DATA PUBLICATION AND TRANSPARENCY.—The terms and conditions of commercial remote sensing data acquisitions under the Program may not prevent the publication of—

''(1) data for scientific purposes; or

''(2) information that enhances the original data of a vendor.

''(c) FUNDING.—The Administrator may obligate such sums as necessary—

''(1) to procure from commercial vendors the remote sensing data and imagery necessary to advance NASA scientific research and applications; and

''(2) to establish or modify end-use license terms and conditions to allow individuals other than NASA-funded users to use such procured data and imagery.

''(d) REPORT.—Not later than 180 days after the date of the enactment of this section, and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report that includes the following:

''(1) A list of all vendors that provide remote sensing data and imagery to NASA.

''(2) The end-use license terms and conditions for each such vendor.

''(3) A description of the manner in which each such vendor is advancing scientific research and applications, including the priorities recommended in the decadal surveys of the National Academies of Sciences, Engineering, and Medicine.

''(4) A determination as to whether the Administrator has entered into any agreement with a commercial vendor or any other civilian agency that permits the use of data and imagery by Federal Government employees, contractors, or non-Federal users.''.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 603 of title 51, United States Code, is amended by inserting after the item relating to section 60306 the following:

''60307. Commercial SmallSat Data program.''.

SA 1897. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2515 and insert the following:

SEC. 2515. RESTRICTIONS ON NUCLEAR COOPERATION WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the document entitled ''U.S. Policy Framework on Civil Nuclear Cooperation with China'' (PF 2019–03), which was issued on October 11, 2018, places necessary and appropriate restrictions on nuclear cooperation with the People's Republic of China and should, therefore, remain in force.

(b) REPORTS ON MODIFICATIONS TO RESTRICTIONS.—

(1) REQUIREMENT.—Not later than 60 days before the date on which the Secretary of Energy seeks to modify any restriction on the transfer of United States civil nuclear technology to the People's Republic of China, the Secretary of Energy, with the concurrence of the Secretary of State and after consultation with the Nuclear Regulatory Commission, the Secretary of Commerce, and the Secretary of Defense and review by the Director of National Intelligence, shall submit to the appropriate committees of Congress a report on such modification, including a description of, and explanation for, the modification.

(2) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) REVIEW OF PRIOR NUCLEAR COOPERATION AND ASSOCIATED IMPACTS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate—

(A) a review of nuclear cooperation during the 10-year period ending on the date of the enactment of this Act between the United

States Government and the People's Republic of China, including the role of the Department of State in facilitating such cooperation; and

(B) assessing the implications of the cooperation described in subparagraph (A) on the national security of the United States.

(2) ELEMENTS.—In conducting the review and assessment under paragraph (1), the Comptroller General shall examine all nuclear cooperation activities between the United States Government and the People's Republic of China during the 10-year period ending on the date of the enactment of this Act, including—

(A) all trips relating to nuclear cooperation taken by officials of the United States Government to the People's Republic of China;

(B) all exchanges of goods, services, data, or information between officials of the United States Government and the Government of the People's Republic of China or any entity owned or controlled by that Government or organized under the laws of the People's Republic of China;

(C) all instances in which officials of the United States Government hosted officials from, or significantly tied to, the Government of the People's Republic of China or any entity described in subparagraph (B).

(3) DEADLINE AND REPORT.—Not later than 2 years after Comptroller General initiates the review and assessment under paragraph (1), the Comptroller General shall—

(A) complete the review and assessment; and

(B) submit to the appropriate committees of Congress a report containing the results of the review and assessment, which shall be unclassified but, if necessary, may include a classified annex.

(4) PUBLICATION.—Not later than 60 days after the date on which the Comptroller General submits the report required by paragraph (3), the Comptroller General shall make the report publicly available in an easily accessible electronic format, with appropriate redactions for information that, in the determination of the Secretary of Energy, would be damaging to the national security of the United States if disclosed.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit—

(1) United States commercial activities that are consistent with the laws and regulations of the United States; or

(2) limited diplomatic engagement or dialogue—

(A) including regarding protection of the intellectual property and trade secrets of United States persons; and

(B) except for any diplomatic engagement or dialogue relating to or aimed at facilitating the transfer of nuclear technology.

(e) DEFINITIONS.—In this section:

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

(A) the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives.

(2) NUCLEAR COOPERATION.—The term ''nuclear cooperation'' means cooperation with respect to nuclear activities, including the development, use, or control of atomic energy, including any activities involving the processing or utilization of source material, byproduct material, or special nuclear material (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)).

(3) NUCLEAR COOPERATION ACTIVITIES.—The term ''nuclear cooperation activities'' means activities relating to nuclear cooperation.

(4) RESTRICTION ON THE TRANSFER OF UNITED STATES CIVIL NUCLEAR TECHNOLOGY TO THE PEOPLE'S REPUBLIC OF CHINA.—The term ''restriction on the transfer of United States civil nuclear technology to the People's Republic of China'' includes the 2018 United States Policy Framework on Civil Nuclear Cooperation with China of the Department of Energy.

SA 1898. Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. RUBIO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, add the following:

SEC. 33___. ADMISSION OF CERTAIN HONG KONG RESIDENTS.

(a) SHORT TITLE.—This section may be cited as the ''Hong Kong Safe Harbor Act''.

(b) DESIGNATION OF CERTAIN RESIDENTS OF HONG KONG AS PRIORITY 2 REFUGEES.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall designate, as Priority 2 refugees of special humanitarian concern, the following categories of aliens:

(A) Individuals who are residents of the Hong Kong Special Administrative Region who suffered persecution, or have a well-founded fear of persecution, on account of their peaceful expression of political opinions or peaceful participation in political activities or associations.

(B) Individuals who have been formally charged, detained, or convicted on account of their peaceful actions as described in section 206(b)(2) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5726).

(C) The spouses, children, and parents (as such terms are defined in subsections (a) and (b) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) of individuals described in subparagraph (A) or (B), except such parents who are citizens of a country other than the People's Republic of China.

(2) PROCESSING OF HONG KONG REFUGEES.—The processing of individuals described in paragraph (1) for classification as refugees may occur in Hong Kong or in a third country.

(3) ELIGIBILITY FOR ADMISSION AS REFUGEES.—An alien may not be denied the opportunity to apply for admission as a refugee under this subsection primarily because such alien—

(A) qualifies as an immediate relative of a citizen of the United States; or

(B) is eligible for admission to the United States under any other immigrant classification.

(4) FACILITATION OF ADMISSIONS.—An applicant for admission to the United States from the Hong Kong Special Administrative Region may not be denied primarily on the basis of a politically motivated arrest, detention, or other adverse government action taken against such applicant as a result of the participation by such applicant in protest activities.

(5) EXCLUSION FROM NUMERICAL LIMITATIONS.—Aliens provided refugee status under this subsection shall not be counted against any numerical limitation under section 201, 202, 203, or 207 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, 1153, and 1157).

(6) REPORTING REQUIREMENTS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Homeland Security shall submit a report regarding the matters described in subparagraph (B) to—

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

(ii) the Committee on Foreign Relations of the Senate;

(iii) the Committee on the Judiciary of the House of Representatives; and

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

(B) MATTERS TO BE INCLUDED.—Each report required under subparagraph (A) shall include—

(i) the total number of applications that are pending at the end of the reporting period;

(ii) the average wait-times for all applicants who are currently pending—

(I) employment verification;

(II) a prescreening interview with a resettlement support center;

(III) an interview with U.S. Citizenship and Immigration Services; or

(IV) the completion of security checks; and

(iii) the number of denials of applications for refugee status, disaggregated by the reason for each such denial.

(C) FORM.—Each report required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(D) PUBLIC REPORTS.—The Secretary of State shall make each report submitted under this paragraph available to the public on the internet website of the Department of State.

(7) SATISFACTION OF OTHER REQUIREMENTS.—Aliens granted status under this subsection as Priority 2 refugees of special humanitarian concern under the refugee resettlement priority system shall be considered to satisfy the requirements under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) for admission to the United States.

(c) WAIVER OF IMMIGRANT STATUS PRESUMPTION.—

(1) IN GENERAL.—The presumption under the first sentence of section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) that every alien is an immigrant until the alien establishes that the alien is entitled to nonimmigrant status shall not apply to an alien described in paragraph (2).

(2) ALIEN DESCRIBED.—

(A) IN GENERAL.—An alien described in this paragraph is an alien who—

(i) is a resident of the Hong Kong Special Administrative Region on February 8, 2021;

(ii) is seeking entry to the United States to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158); and

(iii)(I) had a leadership role in civil society organizations supportive of the protests in 2019 and 2020 relating to the Hong Kong extradition bill and the encroachment on the autonomy of Hong Kong by the People's Republic of China;

(II) had an organizing role for such protests;

(III) acted as a first aid responder for such protests;

(IV) suffered harm while covering such protests as a journalist;

(V) provided paid or pro-bono legal services to 1 or more individuals arrested for participating in such protests; or

(VI) during the period beginning on June 9, 2019, and ending on February 8, 2021, was formally charged, detained, or convicted for his or her participation in such protests.

(B) EXCLUSION.—An alien described in this paragraph does not include any alien who is a citizen of a country other than the People's Republic of China.

(d) REFUGEE AND ASYLUM DETERMINATIONS UNDER THE IMMIGRATION AND NATIONALITY ACT.—

(1) PERSECUTION ON ACCOUNT OF POLITICAL OPINION.—

(A) IN GENERAL.—For purposes of refugee determinations under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), an individual whose citizenship, nationality, or residency is revoked for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws (as defined in section 101(a) of such Act (8 U.S.C. 1101(a))) shall be considered to have suffered persecution on account of political opinion.

(B) NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA.—For purposes of refugee determinations under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), a national of the People's Republic of China whose residency in the Hong Kong Special Administrative Region, or any other area within the jurisdiction of the People's Republic of China, as determined by the Secretary of State, is revoked for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws shall be considered to have suffered persecution on account of political opinion.

(2) CHANGED CIRCUMSTANCES.—For purposes of asylum determinations under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), the revocation of the citizenship, nationality, or residency of an individual for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws shall be considered to be a changed circumstance under subsection (a)(2)(D) of such section.

(e) STATEMENT OF POLICY ON ENCOURAGING ALLIES AND PARTNERS TO MAKE SIMILAR ACCOMMODATIONS.—It is the policy of the United States to encourage allies and partners of the United States to make accommodations similar to the accommodations made under this Act for residents of the Hong Kong Special Administrative Region who are fleeing oppression by the Government of the People's Republic of China.

(f) TERMINATION.—This section shall cease to have effect on the date that is 5 years after the date of the enactment of this Act.

SA 1899. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division B, add the following:

SEC. 2309. COMPUTING ENCLAVE PILOT PROGRAM.

(a) IN GENERAL.—The Director, in consultation with the Director of the National Institute of Standards and Technology and the Secretary of Energy, shall continue and expand a pilot program to ensure the security of federally supported research data and to assist regional institutions of higher education and their researchers regarding the safeguarding of sensitive information.

(b) STRUCTURE.—In carrying out the pilot program described in subsection (a), the Director shall select not less than 3 and not more than 5 institutions of higher education from among institutions classified under the Indiana University Center for Postsecondary Research Carnegie Classification as a doctorate-granting university with a very high level of research activity, and with a history of working with secure information, for the development, installation, maintenance, or sustainment of secure computing enclaves.

(c) REGIONALIZATION.—

(1) IN GENERAL.—In selecting institutions of higher education under subsection (b), the Director shall give preference to institutions of higher education with the capability of serving other regional institutions of higher education.

(2) GEOGRAPHIC DIVERSITY.—The Director shall ensure that institutions of higher education selected under subsection (b) are geographically dispersed to better meet the needs of regional interests.

(d) PROGRAM ELEMENTS.—The Director shall work with institutions of higher education selected under subsection (b) to—

(1) develop an approved design blueprint for compliance with Federal data protection protocols;

(2) develop a comprehensive list, or a bill of materials, of each binary component of the software, firmware, or product that is required to deploy additional secure computing enclaves;

(3) develop templates for all policies and procedures required to operate the secure computing enclave in a research setting;

(4) develop a system security plan template; and

(5) develop a process for managing a plan of action and milestones for the secure computing enclave.

(e) DURATION.—The pilot program described in subsection (a) shall operate for not less than 3 years.

(f) REPORT.—

(1) IN GENERAL.—The Director shall report to Congress not later than 6 months after the completion of the pilot program described in subsection (a).

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

(A) an assessment of the pilot program described in subsection (a), including an assessment of the security benefits provided by such secure computing enclaves;

(B) recommendations related to the value of expanding the network of secure computing enclaves; and

(C) recommendations on the efficacy of the use of secure computing enclaves by other Federal agencies in a broader effort to expand security of Federal research.

SA 1900. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1708 submitted by Mrs. BLACKBURN (for herself and Mr. LUJÁN) and intended to be proposed to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, beginning on line 2, strike ''Secretary of Defense'' and insert ''Secretary of Homeland Security''.

SA 1901. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In subsection (a)(1)(I) of section 2005 (relating to key technology focus areas) of division B, strike ''such as batteries'' and insert ''such as carbon capture utilization and sequestration, advanced fossil (hydrocarbon) energy, and batteries,''.

SA 1902. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. REVIEW AND REFORM OF FOREIGN TRADE REGULATIONS AND EXPORT ADMINISTRATION REGULATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall conduct a review, and as appropriate, revise the Foreign Trade Regulations and the Export Administration Regulations to ensure that definitions and regulatory requirements for collecting, compiling, and publishing export trade statistics are being administered and enforced in a fair, consistent, and equitable manner, including for exports of aircraft.

(b) COORDINATION.—In carrying out subsection (a), the Secretary shall provide opportunities for interested non-Federal stakeholders to engage with, and provide input and recommendations to, the Secretary on the revision of the Foreign Trade Regulations and the Export Administration Regulations.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress on—

(1) the progress made in the review conducted under subsection (a), including details on guidance material and educational outreach to exporters on their reporting obligations under the Foreign Trade Regulations and the Export Administration Regulations;

(2) strategies to ensure compliance for required filings through the Automated Export

System, including the Electronic Export Information filing, by developing guidance materials specific to exports of aircraft;

(3) opportunities for improving the understanding of the reporting requirements by all parties to both a routed and standard export transaction, including a review of existing guidance and the potential for new guidance defining which party to a transaction is the United States Principal Party In Interest or the Foreign Principal Party In Interest (as those terms are defined in section 30.1 of the Foreign Trade Regulations); and

(4) plans to enhance coordination between the Bureau of Industry and Security, the Bureau of the Census, and other Federal agencies in administering the Foreign Trade Regulations and the Export Administration Regulations and other relevant statutes and regulations.

(d) DEFINITIONS.—In this section:

(1) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

(2) FOREIGN TRADE REGULATIONS.—The term ''Foreign Trade Regulations'' means part 30 of title 15, Code of Federal Regulations.

SA 1903. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3402, add the following:

(g) JOINT ENFORCEMENT WITH ALLIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the United States Trade Representative, in coordination with the Secretary of State, should seek to enter into negotiations with representatives from Australia, Canada, the European Union, Japan, New Zealand, South Korea, and the United Kingdom to stop the importation of goods made with stolen intellectual property, including goods made by enterprises on the list required by subsection (a), into the United States and countries that are allies of the United States.

(2) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Trade Representative, in coordination with the Secretary of State, shall submit a report on the status of negotiations described in paragraph (1) to—

(A) the Committee on Finance and Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Ways and Means of the House of Representatives.

SA 1904. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3213, add the following:

(c) NEGOTIATIONS ON FREE TRADE AGREEMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the United States Trade Representative shall seek to enter into negotiations with representatives from Taiwan to establish a bilateral trade agreement between the United States and Taiwan.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Trade Representative shall submit to the Committee on Finance and the Committee on Foreign Relations of the Senate and the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives a report on the status of negotiations under paragraph (1).

SA 1905. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 349, beginning on line 7, strike ''under this'' and all that follows through ''Secretary'' on page 349, line 8, and insert the following: ''under this subsection, the Secretary''.

SA 1906. Ms. ROSEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. 5G COMMUNICATIONS FUND.

(a) DEFINITIONS.—In this section—

(1) the term ''eligible company'' means a United States-headquartered company that submits a proposal to the Secretary that demonstrates a likelihood of being able to use a grant awarded under subsection (c) to achieve the goals described in paragraphs (1), (2), and (3) of subsection (b);

(2) the term ''end-to-end solution'' means the necessary components and software deploy a complete, integrated network, including the core, radio access network, and interoperable equipment interfaces;

(3) the term ''Open RAN'' means open, interface standards-based compatible, interoperable radio access network architectures, such as equipment and software developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, the Third Generation Partnership Project (commonly known as ''3GPP''), the Open-RAN Software Community, or any successor organizations;

(4) the term ''Secretary'' means the Secretary of Commerce; and

(5) the term ''United States-headquartered company'' means a company or other business entity that, as determined by the Secretary—

(A) conducts a significant level of its research, development, engineering, manufacturing, integration, services, and information technology activities in the United States; and

(B) is a company or other business entity the majority ownership or control of which is by United States citizens.

(b) FINDINGS.—Congress finds that it is in the national interest of the United States to—

(1) identify, accelerate, and deploy innovation aimed at providing secure, end-to-end solutions for wireless communications networks comprising radio access and core to enhance the safety of the telecommunications architecture of the United States;

(2) ensure that the planning, design, engineering, deployment, and financing of networks described in paragraph (1) with Open RAN is conducted in an efficient and effective manner; and

(3) promote the rapid deployment of the end-to-end solutions described in paragraph (1) by United States-headquartered companies.

(c) ESTABLISHMENT OF GRANT PROGRAM.—The Secretary, acting through the Assistant Secretary of Commerce for Communications and Information, and in consultation with the Federal Communications Commission, the Under Secretary of Commerce for Standards and Technology, the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence, shall establish a grant program under which the Secretary awards grants to eligible companies to accelerate the development and deployment of Open RAN elements and networks using Open RAN specifications and interoperability for integrated Open RAN 5G networks capable of competing globally.

(d) MAXIMUM GRANT AMOUNT.—The amount of a grant awarded to an eligible company under subsection (c) may not exceed $100,000,000 per year.

(e) DIRECT APPROPRIATION.—There is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2021, to remain available until September 30, 2026, $750,000,000.

(f) RELATION TO PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND.—The grant program established under subsection (c) and the amounts appropriated for that program under subsection (e) shall be separate from the Public Wireless Supply Chain Innovation Fund established under section 9202(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) and the amounts appropriated for that Fund under section 1003 of this Act.

SA 1907. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a

critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EQUITY INVESTMENT BY THE SBIC PROGRAM.

(a) IN GENERAL.—Part A of title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.) is amended—

(1) in section 302(a) (15 U.S.C. 682(a))—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) $20,000,000, adjusted every 5 years for inflation, with respect to each participating investment company under section 321.''; and

(2) by adding at the end the following:

''SEC. 321. SMALL BUSINESS VENTURE CAPITAL AND EQUITY COMPANY INVESTMENT FACILITY.

''(a) DEFINITIONS.—In this section:

''(1) COVERED INVESTMENTS.—The term 'covered investments' means investments in—

''(A) small-business concerns operating in critical industries, including—

''(i) infrastructure, such as roads, bridges, and mass transit;

''(ii) water supply and sewer;

''(iii) the electrical grid;

''(iv) broadband and telecommunications; and

''(v) clean energy;

''(B) small-business concerns not less than 50 percent of which are owned and controlled by women, minorities, or veterans;

''(C) small-business concerns operating in rural or low-income areas, as determined by the Administrator using the most recently available data from the Bureau of the Census; or

''(D) small-business concerns that received awards under the SBIR or STTR program under section 9 of the Small Business Act (15 U.S.C. 638).

''(2) ELIGIBLE SMALL-BUSINESS CONCERN.—The term 'eligible small-business concern' means a small-business concern that is assigned a North American Industry Classification System code beginning with 31, 32, or 33 at the time at which the small-business concern receives an investment from a participating investment company under the facility.

''(3) FACILITY.—The term 'facility' means the facility established under subsection (b).

''(4) PARTICIPATING INVESTMENT COMPANY.—The term 'participating investment company' means a small business investment company approved to participate in the facility.

''(5) VENTURE SECURITY.—The term 'venture security' includes preferred stock, a preferred limited partnership interest or a similar instrument, including debentures under the terms of which interest is payable only to the extent of earnings.

''(b) ESTABLISHMENT.—

''(1) FACILITY.—The Administrator shall establish and carry out a facility to provide financial assistance to participating investment companies that make investments in covered investments or eligible small-business concerns in accordance with this section.

''(2) ADMINISTRATION OF FACILITY.—The facility shall be administered by the Administrator acting through the Associate Administrator described in section 201.

''(c) LICENSE.—The requirements for a license to operate as a small business investment company under section 301(c) shall apply to a participating investment company, except that a participating investment company shall, in the application to participate in the facility, indicate whether the participating investment company shall make investments in eligible small-business concerns through—

''(1) the issuance of debentures; or

''(2) the issuance of venture securities.

''(d) REQUIRED INVESTMENTS.—A participating investment company shall invest not less than 30 percent of funds received under the facility in—

''(1) covered investments; or

''(2) eligible small-business concerns.

''(e) MAXIMUM LEVERAGE FOR ISSUANCE OF DEBENTURES.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the maximum amount of outstanding leverage made available to any participating investment company that issues debentures under this section shall not exceed the lesser of—

''(A) 150 percent of the private capital of the company; or

''(B) $175,000,000.

''(2) EXCEPTIONS.—The maximum amount of outstanding leverage made available to any participating investment company—

''(A) shall not exceed the lesser of 200 percent of the private capital of the company or $200,000,000, if—

''(i) the company invests not less than 45 percent of the funds in covered investments; or

''(ii) the company invests not less than 40 percent of the funds in eligible small-business concerns; and

''(B) shall not exceed the lesser of 200 percent of the private capital of the company or $400,000,000, if—

''(i) the company invests not less than 60 percent of the funds in eligible small-business concerns; and

''(ii) the amount appropriated to carry out this section for the fiscal year in which the investments are made is not less than $20,000,000,000.

''(f) ISSUANCE AND PURCHASE OF VENTURE SECURITIES.—

''(1) IN GENERAL.—The Administration may purchase venture securities issued by a participating investment company under the facility, which shall be in an amount—

''(A) except as provided in subparagraph (B), that does not exceed the lesser of—

''(i) 75 percent of the private capital of the company; or

''(ii) $75,000,000; or

''(B) that does not exceed the lesser of 100 percent of the private capital of the company or $100,000,000, if—

''(i) the company invests not less than 45 percent of the funds in covered investments; or

''(ii) the company invests not less than 40 percent of the funds in eligible small-business concerns.

''(2) FEES AND INTEREST.—In purchasing a venture security under paragraph (1), the Administration shall not assess any fee or interest on the value of the venture security.

''(3) DISTRIBUTIONS.—With respect to distributions related to the issuance of a venture security purchased by the Administration, the Administration shall be treated in the same manner as the most favored investor in the participating investment company.

''(g) REGULATIONS.—The Administration shall issue such regulations as may be necessary to carry out this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administration $10,000,000,000, to remain available until expended, to carry out this section.''.

(3) REPEAL OF PARTICIPATING SECURITIES.—

(A) REPEAL.—Section 303(g) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)) is repealed.

(B) EFFECT ON EXISTING PURCHASES.—The repeal under subparagraph (A) shall not be construed to require the Administrator of the Small Business Administration to cancel, revoke, withdraw, or otherwise affect any purchase of participating securities under section 303(g) of the Small Business Investment Act of 1958 (15 U.S.C. 638(g)) before the date of enactment of this Act.

SA 1908. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REINSTATING SPECIALIZED SMALL BUSINESS INVESTMENT COMPANIES.

Section 301 of the Small Business Investment Act of 1958 (15 U.S.C. 681) is amended by inserting after subsection (c) the following:

''(d) SPECIALIZED SMALL BUSINESS INVESTMENT COMPANIES.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, a small business investment company, the investment policy of which is that its investments will be made solely in small business concerns located in an area described in paragraph (2) may be—

''(A) organized and chartered under State business or nonprofit corporation statutes, or formed as a limited partnership; and

''(B) licensed by the Administration to operate under the provisions of this Act.

''(2) AREAS.—The areas described in this paragraph are—

''(A) a community that has been designated as a qualified opportunity zone under section 1400Z–1 of the Internal Revenue Code of 1986;

''(B) a HUBZone, as defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b)); and

''(C) any census tract or other area that is treated as a low-income community for purposes of section 45D of the Internal Revenue Code of 1986.''.

SA 1909. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, insert the following:

TITLE ___—STEM RESEARCH GAINS

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Strengthening the STEM Research Workforce to Generate American Infrastructure for National

Security Act of 2021'' or the ''STEM Research GAINS Act of 2021''.

SEC. ___02. DEFINITIONS.

In this title:

(1) COVERED FIELD.—The term ''covered field'' means a field in science, technology, engineering, or mathematics research or development that is determined to be—

(A) a subject area relating to the national security of the United States;

(B) a subject area relating to the United States' ability to compete in an open, fair, and competitive international market and achieve economic growth; or

(C) a subject area that is in need of expanded and strengthened academic pipelines to ensure a diverse workforce.

(2) DIRECTOR.—The term ''Director'' means the Director of the National Science Foundation.

(3) FEDERAL SCIENCE AGENCY.—The term ''Federal science agency'' has the meaning given the term in section 103(f) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6623(f)).

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' means an institution of higher education described in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(5) MINORITY.—The term ''minority'' means American Indian, Alaska Native, Black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Asian (including underrepresented subgroups), Native Hawaiian, Pacific Islander origin subgroup, or other ethnic group underrepresented in science and engineering.

(6) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means—

(A) a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(B) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1101a));

(C) a Tribal College or University (as defined in section 316 of that Act (20 U.S.C. 1059c));

(D) an Alaska Native-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(E) a Native Hawaiian-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(F) a Predominantly Black Institution (as defined in section 318 of that Act (20 U.S.C. 1059e));

(G) an Asian American and Native American Pacific Islander-serving institution (as defined in section 320(b) of that Act (20 U.S.C. 1059g(b))); or

(H) a Native American-serving, nontribal institution (as defined in section 319 of that Act (20 U.S.C. 1059f)).

(7) STEM.—The term ''STEM'' means science, technology, engineering, and mathematics, including computer science.

(8) UNDERREPRESENTED FIELD.—The term ''underrepresented field'' means a field in STEM in which the national rate of representation of women among tenured, tenure-track faculty, or nonfaculty researchers at doctorate-granting institutions of higher education is less than 25 percent, according to the most recent data available from the National Center for Science and Engineering Statistics.

(9) UNDERREPRESENTED IN SCIENCE AND ENGINEERING.—The term ''underrepresented in science and engineering'' means a minority group whose number of scientists and engineers, per 10,000 population of that group, is substantially below the comparable figure for scientists and engineers who are white and not of Hispanic origin, as determined by the Secretary of Education under section 637.4(b) of title 34, Code of Federal Regulations, or similar successor regulations.

Subtitle A—Expanding Pipeline Programs to Research Opportunities

SEC. ___11. RESEARCH AND DEVELOPMENT AREAS CRITICAL TO NATIONAL SECURITY.

(a) COVERED FIELDS.—The Industries of the Future Coordination Council established under subsection (c) of section 9412 of division A of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) shall conduct a study to identify areas for research and development that are covered fields.

(b) REPORT.—The Director of the Office of Science and Technology Policy shall include covered fields in the report on Federal research and development focused on industries of the future required under subsection (b) of such section 9412.

(c) UPDATE.—Not less than once every 5 years after the initial report is filed under subsection (b) of such section 9412, the Director of the Office of Science and Technology Policy shall, with advice from the Industries of the Future Coordination Council, prepare and submit to Congress a reassessment of the report under subsection (b), including the covered fields identified under subsection (a).

(d) CONFORMING AMENDMENT.—Section 9412(b) of division A of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking paragraph (6).

SEC. ___12. RONALD E. MCNAIR POSTBACCALAUREATE ACHIEVEMENT PROGRAM.

Section 402E(g) of the Higher Education Act of 1965 (20 U.S.C. 1070a–15(g)) is amended to read as follows:

''(g) FUNDING.—In addition to amounts made available to carry out this section under section 402A(g), there are authorized to be appropriated $100,000,000 for each of fiscal years 2022 through 2027 to carry out this section.''.

SEC. ___13. INCREASING INVESTMENT IN UNDERGRADUATE SCIENCE PIPELINES.

(a) IN GENERAL.—There are authorized to be appropriated to the National Science Foundation $750,000,000 for fiscal year 2022 and for each of the following 4 years, which shall be used, in amounts determined by the Director, for the following programs:

(1) The Advanced Technological Education Program.

(2) The CyberCorps Scholarship for Service Program.

(3) The Historically Black Colleges and Universities Undergraduate Program.

(4) Improving Undergraduate STEM Education (IUSE).

(5) The Louis Stokes Alliances for Minority Participation program.

(6) The Research Experiences for Undergraduates program.

(7) The Tribal Colleges and Universities Program.

(8) The Improving Undergraduates STEM Education: Hispanic-Serving Institutions Program.

(b) SUPPLEMENT NOT SUPPLANT.—The amounts authorized under subsection (a) shall supplement, and not supplant, any other amounts authorized for the National Science Foundation for the programs described in such subsection.

SEC. ___14. BOLSTERING STEM PIPELINES STRATEGIC PLAN.

(a) BROADENING PARTICIPATION STRATEGIC PLAN.—Not later than 1 year after the date of enactment of this Act, the Director shall submit to Congress a report containing its current strategic plan for the National Science Foundation to increase the capacity of STEM programs carried out by the National Science Foundation that are in effect as of the date of the report to increase the participation of individuals who are underrepresented in science and engineering, women who are underrepresented in STEM fields, and low-income and first-generation college students, in order to broaden participation in grants and programs carried out by the National Science Foundation. The report shall include—

(1) a description of how the grants and programs that are carried out by the National Science Foundation, as of the time of the report, are carried out in a manner that advances diverse pipelines in STEM fields, and a description of how the National Science Foundation can better advance such diverse pipelines;

(2) an analysis of the data collection that would allow for meaningful goal setting and transparency relating to the National Science Foundation's progress in broadening participation of individuals from groups that are underrepresented in science and engineering with respect to those grants and programs;

(3) an analysis of how the National Science Foundation can meet goals related to broadening the participation of individuals from groups that are underrepresented in science and engineering by—

(A) creating or expanding funding opportunities;

(B) modifying existing research and development programs; and

(C) establishing coordination between existing programs carried out by the National Science Foundation;

(4) a description of the ways that the National Science Foundation works with minority-serving institutions to—

(A) enable those eligible institutions to compete effectively for grants, contracts, or cooperative agreements carried out by the National Science Foundation;

(B) encourage those eligible institutions to participate in programs carried out by the National Science Foundation and other Federal science agencies; and

(C) encourage students and faculty at the eligible institution to apply for and successfully earn graduate and professional opportunities from programs supported by the National Science Foundation;

(5) an analysis of the best ways to share best practices for institutions of higher education and Federal science agencies interested in supporting individuals from groups that are underrepresented in science and engineering; and

(6) an analysis of how the National Science Foundation can work with other Federal science agencies to advance goals related to broadening the participation of individuals from groups that are underrepresented in science and engineering.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, the Director shall report to Congress on the implementation by Federal science agencies of the policy guidelines developed under this section.

SEC. ___15. RESEARCH PROGRAM CLEARINGHOUSE AND TECHNICAL ASSISTANCE CENTER.

(a) OPPORTUNITIES CLEARINGHOUSE.—The Federal Coordination in STEM Education Task Force of the Committee on Science, Technology, Engineering, and Math Education of the National Science and Technology Council shall establish and maintain a public clearinghouse (including by maintaining a publicly available website) of all research programs sponsored by Federal

science agencies that are available to individuals as undergraduate and graduate students.

(b) BEST PRACTICES CLEARINGHOUSE.—The Director shall establish and maintain a clearinghouse that will collect, analyze, identify, disseminate, and make publicly available information about best practices for institutions of higher education to strengthen, at the undergraduate level, the pipeline of individuals pursuing careers in covered fields.

(c) TECHNICAL ASSISTANCE.—The Director shall establish and maintain a robust technical assistance center through the National Science Foundation that shall work with institutions of higher education seeking to implement strategies to—

(1) bolster and diversify the student body at the institution that pursue STEM fields; and

(2) support students underrepresented in science and engineering who are pursuing research-based STEM studies to help those students continue and complete those studies.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) to carry out subsection (a) $1,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years; and

(2) to carry out subsections (b) and (c), $1,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years.

Subtitle B—Increasing Funding for Graduate Education

SEC. ____21. FELLOWSHIPS FOR GRADUATE STUDENTS IN COVERED FIELDS.

(a) GLOBAL COMPETITIVENESS AND NATIONAL SECURITY STEM FELLOWSHIP PROGRAM ESTABLISHED.—The Director shall establish a graduate fellowship program through which the Director shall award funds to certain eligible students who have an approved application in accordance with subsection (b) (referred to in this section as ''fellowship participants'').

(b) APPLICATION; ELIGIBLE STUDENTS.—

(1) APPLICATION.—The Director shall establish and make publicly available an application for eligible students who desire to receive funds under this section.

(2) ELIGIBLE STUDENTS.—A student may submit an application to the National Science Foundation to receive funds under this section if the student—

(A) is a United States citizen, an alien lawfully admitted for permanent residence (as the terms are defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), or an alien who has been granted deferred action pursuant to the memorandum of the Department of Homeland Security entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children'' issued on June 15, 2012; and

(B)(i) is in the final year of undergraduate education at an institution of higher education and is pursuing a research-based master's or doctorate degree at an institution of higher education that offers graduate degrees in a covered field; or

(ii) is enrolled in a research-based master's or doctorate degree program at an institution of higher education in a covered field and has completed less than 12 months of that program.

(3) APPLICATION REVIEW.—

(A) IN GENERAL.—The Director shall establish a process for reviewing applications received under this section and determining which applications will be approved. As part of such process the Director shall establish an interdisciplinary panel of scientists, engineers, or other relevant professional graduate education experts, who shall review the merit of the applications submitted and consider the broadening participation criteria described in subparagraph (B).

(B) BROADENING PARTICIPATION.—In determining which applications are approved under this section, the Director shall ensure that consideration is given to applicants who would broaden participation in the program, including first-generation college students, low-income individuals, minority students, individuals underrepresented in science or engineering, individuals eligible for or receiving a Pell Grant, women pursuing studies in underrepresented fields, or individuals who attend or attended a minority-serving institution for the individual's undergraduate degree.

(c) FUNDING FOR FELLOWSHIP PARTICIPANTS.—

(1) IN GENERAL.—The Director shall pay an annual stipend and additional expenses for each eligible student whose application is approved under subsection (b) in accordance with paragraph (2).

(2) AMOUNT.—The Director shall pay for each eligible student with an approved application under this section, for a total of 3 years—

(A) $50,000 each year for living expenses, which shall be paid to the institution and disbursed annually as an aid stipend to the student;

(B) a tuition and fees allowance, which shall be $15,000 per year and which shall be paid directly to the institution that student is attending for the student's tuition and fees; and

(C) a $2,000 professional development allowance, which shall be distributed to an eligible student by the Director, upon application, to reimburse the student for professional development expenses.

(3) ADJUSTMENTS FOR INFLATION.—The amounts described in paragraph (2) shall be the amounts for fiscal year 2021 and shall be adjusted annually for inflation.

(4) EXEMPTION FROM TUITION AND FEES; TAX DISCLOSURE.—An institution of higher education that enrolls a student who will participate in the fellowship under this section and that will receive funds described in subparagraph (A) and (B) of paragraph (2) on behalf of such student—

(A) shall agree to exempt such student from paying tuition and fees that are greater than the tuition and fees allowance under paragraph (2)(B) that are normally charged to students of similar academic standing, unless such charges are optional or are refundable; and

(B) shall provide that student with information about how funds received through the fellowship will be treated for Federal tax purposes.

(d) ANNUAL MEETING .—

(1) IN GENERAL.—The Director shall arrange an annual meeting for fellowship participants and representatives from relevant Federal agencies in order—

(A) to facilitate professional development and networking relating to covered fields; and

(B) to facilitate access to experiential training opportunities, which may include such training at national security facilities and federally funded research centers.

(2) ATTENDANCE REQUIRED.—Each fellowship participant shall be required to attend at least one annual meeting during the period covered by that recipient's award, and the professional development allowance under subsection (c)(2)(C) may be used to cover expense for attendance at that meeting.

(e) ADDITIONAL REQUIREMENTS.—

(1) TERMINATION.—An individual's participation in the fellowship under this section and receipt of funds under this section shall be terminated at the earlier of—

(A) the last day of the third year for which the individual has received funding under this section; or

(B) the date of degree completion, unless that individual is continuing from a master's to a doctoral degree in a covered field and less than 3 years of funding had been distributed since the individual became a fellowship participant under this section.

(2) REQUEST TO CHANGE SCHOOLS OR PROGRAMS OR SUSPEND OR DEFER PARTICIPATION.—A fellowship participant who wishes to change institutions or programs, or suspend or defer fellowship participation, shall submit a request to the Director and must receive approval from the Director.

(3) NO CONCURRENT AWARDS.—An individual shall not be eligible to accept another Federal graduate fellowship concurrently with fellowship participation under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $500,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years.

SEC. ____22. NATIONAL SCIENCE FOUNDATION GRADUATE RESEARCH FELLOWSHIP PROGRAM.

There is authorized to be appropriated to the Director of the National Science Foundation, in addition to any other amounts appropriated, $250,000,000 for the Graduate Research Fellowship Program in each of fiscal years 2022 through 2026.

SEC. ____23. NATIONAL EMERGING SCIENCE AND TECHNOLOGY TRAINING PROGRAM.

(a) IN GENERAL.—The Director, in partnership with the Secretary of Defense and in consultation with the Under Secretary of Defense for Research and Engineering, shall establish a National Emerging Science and Technology Training Program to award grants to institutions of higher education to enable those institutions to establish training programs to educate cohorts of students in covered fields.

(b) APPLICATION.—An institution of higher education desiring to receive a grant under this section shall submit an application at such time, in such manner, and containing such information as the Director may reasonably require.

(c) AWARDS.—

(1) AWARD TOTALS.—Each grant award under this section shall be in an amount not to exceed $5,000,000.

(2) NUMBER OF AWARDS AND DISTRIBUTION.—

(A) NUMBER OF AWARDS.—A minimum of 45 institutional awards shall be granted.

(B) DISTRIBUTION.—The Director shall—

(i) encourage institutions of higher education that are minority-serving institutions to apply for grants under this section; and

(ii) consider broader impacts when awarding grants under this section.

(3) DURATION.—The duration of awards made through the grant program shall not exceed 4 years.

(4) USE OF FUNDS.—

(A) IN GENERAL.—An eligible institution shall use award funds, in accordance with subparagraph (B), for the purposes of—

(i) providing training programs in covered fields led by faculty;

(ii) paying funds for the cost of attendance (as described in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)) for eligible students participating in training programs established by this section;

(iii) establishing scientific or technical internship programs for students participating in training programs established by this section; and

(iv) other costs associated with the administration of the training program.

(B) MINIMUM AMOUNT FOR TUITION AND OTHER COSTS.—An eligible institution shall use not less than 70 percent of grant funds

for expenses described in subparagraph (A)(ii).

(C) ELIGIBLE STUDENT.—In this section the term ''eligible student'' means a student who is—

(i) a United States citizens or an alien lawfully admitted for permanent residence (as the terms are defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) or an alien who has been granted deferred action pursuant to the memorandum of the Department of Homeland Security entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children'' issued on June 15, 2012; and

(ii) pursuing a masters or doctorate degree in a covered field identified under section ____11(c).

(d) SELECTION CRITERIA.—In making awards under this section, the Director and the Secretary shall consider—

(1) the relevance of the institution's proposed program to existing and anticipated strategic national needs as determined by the study under section ____11(a);

(2) the ability of the institution to effectively carry out the proposed program;

(3) the geographic location of an institution related to the Department of Defense's needs for developing specific workforce capacity and skills within a particular region of the country;

(4) the extent to which the institution's proposal would include students who are underrepresented in science and engineering, low-income students, women, minority students, and first-generation college students; and

(5) the integration of internship opportunities into the participant's program, including internships or cooperative education agreements with government laboratories, nonprofit research organizations, or for-profit commercial entities.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $250,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years.

SEC. ____24. STRENGTHENING TRANSPARENCY.

(a) ASSESSMENTS.—The Director shall conduct regular assessments of the programs established under this subtitle and other graduate research fellowship programs carried out by the National Science Foundation and provide additional publicly available information about those programs, including for each program—

(1) the number of applications received, disaggregated by undergraduate and graduate institution, race, gender, age, and eligibility for a Federal Pell Grant;

(2) the number of applications approved, disaggregated by undergraduate and graduate institution, race, gender, age, and eligibility for a Federal Pell Grant; and

(3) the internal partnerships between the National Science Foundation and institutions of higher education in order to develop a diverse science workforce.

(b) REPORTS.—The Director shall prepare and submit to Congress, and make publicly available, annual reports that show trends in how research fellowships and scholarships supported by the National Science Foundation are awarded to individuals from underrepresented groups, institutions of higher education, and entities from different geographic areas, in order to better show trends in the participation of underrepresented groups in such research fellowships and scholarships.

Subtitle C—Strengthening the National Security Research Workforce

SEC. ____31. NATIONAL SECURITY RESEARCH FELLOWSHIP PROGRAM.

(a) PROGRAM ESTABLISHED.—The Director, in partnership with the Secretary of Defense and in consultation with the Under Secretary of Defense for Research and Engineering, shall carry out a program, to be known as the ''National Security Research Fellowship Program'' that will bolster Federal Government research by finding placements in the Federal Government for selected eligible graduates.

(b) ELIGIBLE GRADUATES.—The term ''eligible graduate'' means an individual who—

(1) is a United States citizen, an alien lawfully admitted for permanent residence (as the terms are defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), or an alien who has been granted deferred action pursuant to the memorandum of the Department of Homeland Security entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children'' issued on June 15, 2012; and

(2) graduated not more than 3 years prior to the date of the individual's application, with a master's or doctoral degree in a covered field.

(c) APPLICATION; SELECTION OF ELIGIBLE GRADUATES.—

(1) APPLICATION.—Eligible graduates who desire to participate in the National Security Research Fellowship Program shall submit an application at such time, in such manner, and containing such information as the Director may require, including information about the applicant's educational background, previous research experience, publications or presentations, letters of recommendation, or written research proposals.

(2) SELECTION.—The Director shall establish a process for the selection of eligible graduates who apply, which may include a review and scoring of applications by a panel of experts in broad discipline areas after an evaluation of the demonstrated ability of the individual as a student and potential for contributions as an independent scientist.

(d) NATIONAL SECURITY RESEARCH FELLOWSHIP PROGRAM.—Through the National Security Research Fellowship Program, the Director shall—

(1) select eligible graduates who apply for the program in accordance with subsection (c);

(2) facilitate placement in a 3-year postdoctoral research position in a covered field with a Federal agency for selected eligible graduates;

(3) provide those eligible graduates with an orientation process and a mentor;

(4) facilitate opportunities for participants who have completed the program to transfer to a permanent civil service position with the Federal Government in a covered field after completion of program; and

(5) ensure that eligible participants in the program receive the educational award described in section ____32.

(e) EDUCATIONAL AWARDS.—

(1) IN GENERAL.—Each individual who completes not less than 2 years of the 3-year National Security Research Fellowship Program described in this section shall be eligible to receive an educational award in accordance with this subsection.

(2) EDUCATIONAL AWARD.—Each individual described in paragraph (1) shall receive an educational award in an amount equal to the product of—

(A) the maximum amount of a Federal Pell Grant for the most recent year; multiplied by

(B) the number of years of participation in the fellowship program (whether 2 or 3 years, as the case may be).

(3) USE OF EDUCATIONAL AWARD.—The educational award under this section—

(A) may be used for attendance at an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

(B) may be used to repay a Federal or private student loan of the individual.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $750,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years.

SEC. ____32. EARLY CAREER FACULTY SUPPORTS.

(a) RISING FACULTY PROFESSIONAL ADVANCEMENT PROGRAM.—

(1) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Director shall establish a 5-year pilot mentorship program to be known as ''Rising Faculty Professional Advancement Program'' (referred to in this section as the ''program'') in order to increase the diversity of faculty in STEM fields.

(2) PURPOSE.—The purpose of the Rising Faculty Professional Advancement Program shall be—

(A) to increase the number of doctoral-level professionals from underrepresented groups in STEM fields who transition into faculty positions at institutions of higher education; and

(B) to improve mentorship and training for researchers who are navigating the transition in the research pipeline to becoming faculty, which is a time when a significant decrease in diversity often occurs.

(b) PROGRAM PARTICIPANTS.—

(1) IN GENERAL.—Eligible individuals who desire to participate in the program shall submit an application to the National Science Foundation at such time, in such manner, and containing such information as the Director may require, including—

(A) information about the eligible individual's selected mentor and the mentor's agreement to participate in the program;

(B) an assertion that the selected mentor is—

(i) a tenured faculty member at a research institution of higher education; or

(ii) a faculty equivalent at a National laboratory or Federal agency; and

(C) a description of the applicant's reasoning for selecting that mentor.

(2) ELIGIBILITY.—An individual shall be eligible to participate in the program if the individual is a doctoral degree holding researcher in a post-doctoral research position or early-career faculty (defined as a faculty researcher with a title of assistant professor or other non-tenured equivalent).

(3) PRIORITY.—In selecting applicants to participate in the program—

(A) priority shall be given to—

(i) applicants from groups who are underrepresented in science and engineering; or

(ii) applicants holding degrees from or faculty positions at minority-serving institutions; and

(B) additional consideration may be given to—

(i) applicants holding doctoral degrees from institutions of higher education in the bottom 90 percent of research and development expenditures, as ranked by the National Center for Science and Engineering Statistics; and

(ii) applicants who are women and who hold positions from underrepresented fields.

(4) NUMBER OF PARTICIPANTS.—The Foundation shall select a cohort of not less than 100 eligible individuals to be program participants (referred to in this section as ''Rising Faculty'') for each year of the pilot program.

(5) OUTREACH.—Not later than 1 year after the date of enactment of this Act, the Foundation shall—

(A) conduct outreach to solicit potential applicants for Rising Faculty and mentor participants; and

(B) make publicly available information about the expectations of mentor involvement and best practices in finding a mentor.

(c) ACTIVITIES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall establish program activities including—

(A) training for Rising Faculty and mentors;

(B) a program curriculum; and

(C) benchmarks for mentor engagement.

(2) COLLABORATIVE RESEARCH.—The Foundation shall encourage program mentors to network and enter into collaboration on research projects with Rising Faculty and other mentors within the program.

(3) SURVEY.—Following the first year of program enrollment, and on an annual basis during the program, the Director shall—

(A) conduct a survey of Rising Faculty and mentors to determine best practices and outcomes achieved;

(B) collect information about the demographics of Rising Faculty and mentor participants; and

(C) conduct additional surveys or other analyses of Rising Faculty who completed the program to assess career progression for not more than 5 years following the completion of the program by Rising Faculty.

(d) MEETINGS.—

(1) BIANNUAL MEETINGS.—

(A) IN GENERAL.—The Foundation shall hold biannual meetings for mentors, Rising Faculty, and individuals who have previously completed the program. The Foundation may award travel grants for Rising Faculty who lack discretionary travel funds to attend the biannual meeting.

(B) INTRODUCTORY MEETING.—The Foundation shall hold one meeting at the start of each cohort's program year which may include program introduction, mentor training, career training for Rising Faculty, and networking, with the goal of advancing early-career researchers along the academic faculty track, and any other activities the Foundation determines are appropriate for the career advancement of Rising Faculty.

(C) SECOND MEETING.—The Foundation shall hold a second meeting in the last quarter of the program year, which may include opportunities for networking, continued training, promotion of continued mentorship after program completion, solicited feedback from Rising Faculty, and any other activities the Foundation determines are appropriate for the career advancement of Rising Faculty.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Director shall submit a report to Congress that includes a summary and analysis of the types and frequency of activities and policies developed and carried out under the pilot program.

(f) ASSESSMENT OF THE PILOT PROGRAM AND RECOMMENDATIONS.—Not later than 180 days after the conclusion of the pilot program, the Director shall provide a report to the appropriate committees of Congress with respect to the pilot program, which shall include—

(1) a description and evaluation of the status and effectiveness of the program, including a summary of survey data collected;

(2) an assessment of the success and utility of the pilot program in meeting the purposes of this section; and

(3) a recommendation about continuing the program on a pilot or permanent basis.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 in each of fiscal years 2022 through 2026.

SEC. ___33. NATIONAL SCIENCE FOUNDATION FACULTY EARLY CAREER DEVELOPMENT AWARDS.

There is authorized to be appropriated to the Director of the National Science Foundation, in addition to any other amounts appropriated, $400,000,000 for National Science Foundation Faculty Early Career Development Awards for fiscal years 2022 through 2026.

SA 1910. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON COUNTRY-OF-ORIGIN LABELING FOR BEEF, PORK, AND OTHER MEAT PRODUCTS.

Not later than one year after the date of the enactment of this Act, the United States Trade Representative, in conjunction with the Secretary of Agriculture, shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the ruling issued by the World Trade Organization in 2015 on country-of-origin labeling for beef, pork, and other meat products that includes—

(1) an assessment of the impact of the ruling on—

(A) consumer awareness regarding the origin of meat consumed in the United States;

(B) agricultural producers in the United States; and

(C) the security and resilience of the food supply in the United States; and

(2) if the assessment under paragraph (1) indicates that the ruling or other market factors in the United States, including consolidation of meat processors, changes in diet and preferences, or other factors, have had a negative impact on consumers in the United States, agricultural producers in the United States, or the overall security and resilience of the food supply in the United States, recommendations for such legislative or administrative action as the Trade Representative, in conjunction with the Secretary of Agriculture, considers appropriate—

(A) to better inform consumers in the United States;

(B) to support agricultural producers in the United States; and

(C) to improve the security and resilience of the food supply in the United States.

SA 1911. Mr. SULLIVAN (for himself, Mr. CORNYN, and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 2528. FEDERAL REQUIREMENTS FOR AWARD.

(a) IN GENERAL.—Consistent with the First Amendment to the Constitution for public institutions, and in compliance with stated institutional policies regarding freedom of speech for private institutions, and all applicable Federal laws, regulations, and policies, entities receiving awards under title I or title II of this division shall—

(1) protect free speech, viewpoint diversity, the free exchange of ideas, and academic freedom, including extramural speech of staff and students;

(2) protect religious liberty; and

(3) prohibit discrimination, consistent with titles IV and VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq; 2000d et seq.).

(b) ATTESTATION.—

(1) IN GENERAL.—An institution of higher education that submits an application for Federal funding under title I or II of this division, or an amendment made by title I or II of this division, shall provide to the Director, as part of such application—

(A) an intra-institutional attestation that the institution is in compliance with the requirements under subsection (a); and

(B) information on the actions taken by the institution to ensure such compliance.

(2) ANNUAL SUBMISSION.—An institution shall not be required to submit an attestation under paragraph (1) more than once per year.

(c) DIRECTOR REPORT.—The Director shall annually transmit to Congress and make public on the website of the Foundation the attestations submitted under subsection (b).

(d) OFFICE OF INSPECTOR GENERAL REPORT.—Not later than one year after the date of enactment of this division, and every 2 years thereafter, the Office of Inspector General of the Foundation shall submit a report to Congress that contains a review of the efforts of the Foundation to ensure that all recipients of an award from the Foundation are aware of and in compliance with all Federal requirements for such an award, including the requirements under subsection (a).

SA 1912. Mrs. HYDE–SMITH submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title VI of division B, insert the following:

SEC. 26___. SUPPORT FOR STENNIS SPACE CENTER AS PRIMARY HYDROGEN RESEARCH AND DEVELOPMENT AND TESTING CENTER FOR NASA.

(a) IN GENERAL.—The Administrator shall fully leverage and use the unique hydrogen expertise, fuel farm, and testing platforms at the Stennis Space Center for testing any federally funded program or public-private partnership involving the use of hydrogen in space exploration, space technology, and aeronautics.

(b) MAINTENANCE OF EXPERTISE.—The Administrator shall maintain the Stennis Space Center's hydrogen expertise, fuel farm, and testing platforms so as to support ongoing activities associated with liquid oxygen-hydrogen rockets, including the Space Launch System, the Exploration Upper Stage for the Space Launch System, and any other Government and commercial vehicle that may benefit from testing at the Stennis Space Center.

(c) TESTING CAPABILITIES AND PLATFORMS.—The Administrator shall invest in future testing capabilities and platforms to support a range of hydrogen systems in—

(1) space systems (including in launch vehicles and spacecraft); and

(2) aeronautics research and development.

(d) REPORT.—Not later than 180 days after the date of the enactment of this division, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that—

(1) identifies all current and planned NASA-funded programs and public-private partnerships that involve the research, development, and testing of hydrogen space exploration, space technology, and aeronautics systems, including propulsion systems, hydrogen fuel tanks, transfer systems, and integrated systems and vehicles; and

(2) describes the manner in which each such program or partnership is currently, or may in the future, use the Stennis Space Center's hydrogen research and development and testing capabilities.

SA 1913. Mr. WYDEN (for himself, Mr. MANCHIN, and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 4411 and insert the following:

SEC. 4411. EXCEPTION FOR WILDFIRE MANAGEMENT OPERATIONS AND SEARCH AND RESCUE OPERATIONS.

The Secretary of the Interior and the Secretary of Agriculture, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 4403, 4404, and 4405 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting the full range of wildfire management operations or search and rescue operations.

SEC. 4412. SUNSET.

Sections 4403, 4404, and 4405 shall cease to have effect on the date that is 5 years after the date of the enactment of this Act.

SA 1914. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

Subtitle D—Preventing Future Pandemics

SEC. 3298. SHORT TITLE.

This subtitle may be cited as the ''Preventing Future Pandemics Act of 2021''.

SEC. 3299. WILDLIFE MARKET DEFINED.

In this subtitle:

(1) The term ''wildlife market''—

(A) means a commercial market—

(i) where live mammalian or avian wildlife, or live wildlife species listed pursuant to section 3299A(2), is held, slaughtered, or sold for human consumption as food or medicine, whether the animals originated in the wild or in a captive environment; and

(ii) that delivers a product in communities where alternative nutritional or protein sources are readily available; and

(B) does not include—

(i) markets in areas where no other practical alternative sources of protein or meat exists, such as wildlife markets in rural areas on which indigenous people and rural local communities rely to feed themselves and their families;

(ii) markets where the only live mammalian or avian wildlife held, slaughtered, or sold are species listed pursuant to section 3299A(1); and

(iii) processors of dead wild game.

(2) The term ''commercial trade in live wildlife''—

(A) means commercial trade in live mammalian or avian species, or any species listed pursuant to section 3299A(2), for human consumption; and

(B) does not include—

(i) fish;

(ii) invertebrates;

(iii) other reptiles;

(iv) other amphibians;

(v) mammalian or avian species listed pursuant to section 3299A(1); and

(vi) the meat of ruminant game species—

(I) traded in markets in countries with effective implementation and enforcement of scientifically based, nationally implemented policies and legislation for processing, transport, trade, marketing; and

(II) sold after being slaughtered and processed under sanitary conditions.

SEC. 3299A. DETERMINATION OF RISK OF ZOONOTIC SPILLOVER FOR CERTAIN WILDLIFE SPECIES.

The Director of the Centers for Disease Control and Prevention, in coordination with the heads of other relevant departments and agencies, including the Department of Agriculture, the Department of the Interior, and the United States Agency for International Development, after public notice and comment, shall annually review, update as necessary, and publicly release the following:

(1) A list of mammal or bird species, if any, that the Director determines does not present any risk of contributing to spillover of zoonotic pathogens that are capable of causing pandemics.

(2) A list of reptile or amphibian species, if any, that the Director determines present any risk of contributing to spillover of zoonotic pathogens that are capable of causing pandemics.

SEC. 3299B. STUDY ON RISK OF WILDLIFE MARKETS ON THE EMERGENCE OF NOVEL VIRAL PATHOGENS.

(a) STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Health and Human Services, and the Secretary of Agriculture shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to study the risk wildlife markets pose to human health through the emergence or reemergence of pathogens. The study shall evaluate—

(1) the impact of physical proximity to and the role of human use of terrestrial wildlife for food or medicine on the emergence or reemergence of pathogens, including novel pathogens;

(2) the conditions at live wildlife markets and within the associated supply chain that elevate risk factors leading to such emergence, reemergence, or transmission of pathogens; and

(3) the methods by which the United States might work with international partners to effectively promote diversified alternative sources of food and protein in communities that rely upon the human use of wildlife as food or medicine for subsistence, while ensuring that existing natural habitats are not unduly encroached upon or destroyed as part of this process.

(b) REPORT.—Not later than 1 year after the date of the agreement under subsection (a), the Secretaries described in such subsection shall submit a report on the findings of the study described in such subsection to—

(1) the Committee on Foreign Relations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Energy and Commerce, and the Committee on Agriculture of the House of Representatives.

SEC. 3299C. SENSE OF CONGRESS.

It is the sense of Congress that global institutions, including the Food and Agriculture Organization of the United Nations (FAO), the World Organisation for Animal Health (OIE), and the World Health Organization (WHO), together with leading nongovernmental organizations, veterinary colleges, and the United States Agency for International Development (USAID), should promote the paradigm of One Health—the integration of human health, animal health, agriculture, ecosystems, and the environment as an effective and integrated way to address the complexity of emerging disease threats, and should support improved community health, biodiversity conservation, forest conservation and management, sustainable agriculture, and safety of livestock production in developing countries, particularly in tropical landscapes where there is an elevated risk of zoonotic disease spill over.

SEC. 3299D. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) support the availability of scalable and sustainable alternative sources of protein and nutrition for local communities, where appropriate, in order to minimize human reliance on the commercial trade in live wildlife and raw or unprocessed wildlife parts and derivatives for human consumption;

(2) support foreign governments to—

(A) prevent commercial trade in live wildlife and raw or unprocessed wildlife parts and derivatives for human consumption;

(B) transition from the sale of such wildlife for human consumption in markets and restaurants to alternate protein and nutritional sources; and

(C) establish and effectively manage protected and conserved areas, particularly in countries with tropical forest hotspots for emerging diseases, including indigenous and community-conserved areas;

(3) respect the rights and needs of indigenous people and local communities dependent on such wildlife for nutritional needs and food security; and

(4) facilitate international cooperation by working with international partners through intergovernmental, international, and nongovernmental organizations such as the United Nations to—

(A) lead a resolution at the United Nations Security Council or General Assembly and World Health Assembly outlining the danger to human and animal health from emerging zoonotic infectious diseases, with recommendations for implementing the closure of wildlife markets and prevention of the commercial trade in live wildlife for human consumption except where the consumption of wildlife is necessary for local food security or where such actions would significantly disrupt a readily available and irreplaceable food supply;

(B) raise awareness on the dangerous potential of wildlife markets as a source of zoonotic diseases and reduce demand for the consumption of wildlife through evidence-based behavior change programs, while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process;

(C) encourage and support alternative forms of sustainable food production, farming, and shifts to sustainable sources of protein and nutrition instead of terrestrial wildlife where able and appropriate, and reduce consumer demand for terrestrial wildlife through enhanced local and national food systems, especially in areas where wildlife markets play a significant role in meeting subsistence needs while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process; and

(D) strive to increase hygienic standards implemented in markets around the globe, especially those specializing in the sale of products intended for human consumption.

SEC. 3299E. PREVENTION OF FUTURE ZOONOTIC SPILLOVER EVENTS.

(a) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with the Director of the United States Fish and Wildlife Service, the Secretary of Agriculture, and the heads of other relevant departments and agencies, shall work with foreign governments, multilateral entities, intergovernmental organizations, international partners, private sector partners, and nongovernmental organizations to carry out the following activities:

(1) Close wildlife markets and prevent commercial trade in live wildlife and raw or unprocessed wildlife parts and derivatives for human consumption, placing a priority focus on tropical countries or countries with significant markets for live wildlife for human consumption and on the following wildlife trade activities:

(A) High volume commercial trade and associated markets.

(B) Trade in and across well connected urban centers.

(C) Trade for luxury consumption as food or medicine or where there is no dietary necessity by—

(i) working through existing treaties, conventions, and agreements to develop a new protocol or amend existing protocols or agreements;

(ii) expanding combating wildlife trafficking programs to support enforcement of the closure of such markets and new illegal markets in response to closures, and the prevention of such trade including—

(I) providing assistance to improve law enforcement;

(II) detecting and deterring the illegal import, transit, sale and export of wildlife;

(III) strengthening such programs to assist countries through legal reform;

(IV) improving information sharing and enhancing capabilities of participating foreign governments;

(V) supporting efforts to change behavior and reduce demand for such wildlife products; and

(VI) leveraging United States private sector technologies and expertise to scale and enhance enforcement responses to detect and prevent such trade;

(iii) leveraging strong United States bilateral relationships to support new and existing inter-Ministerial collaborations or Task Forces that can serve as regional One Health models; and

(iv) building local agricultural capacity by leveraging expertise from the United States Department of Agriculture and institutions of higher education with agricultural expertise.

(2) Prevent the degradation and fragmentation of forests and other intact ecosystems to minimize interactions between wildlife and human and livestock populations that could contribute to spillover events and zoonotic disease transmission, including by providing assistance or supporting policies to—

(A) conserve, protect, and restore the integrity of such ecosystems;

(B) support the rights and needs of Indigenous People and local communities and their ability to continue their effective stewardship of their traditional lands and territories;

(C) support the establishment and effective management of protected areas, prioritizing highly intact areas; and

(D) prevent activities that result in the destruction, degradation, fragmentation, or conversion of intact forests and other intact ecosystems and biodiversity strongholds, including by governments, private sector entities, and multilateral development financial institutions.

(3) Offer alternative livelihood and worker training programs and enterprise development to wildlife traders, wildlife breeders, and local communities whose members are engaged in the commercial trade in live wildlife for human consumption.

(4) Ensure that the rights of Indigenous Peoples and local communities are respected and their authority to exercise these rights is protected.

(5) Strengthen global capacity for prevention and detection of novel and existing zoonoses with pandemic potential.

(6) Support the development of One Health systems at the community level, particularly in emerging infectious disease hotspots, through a collaborative, multisectoral, and transdisciplinary approach that recognizes the interconnections between people, animals, plants, and their shared environment to achieve optimal health outcomes.

(b) ACTIVITIES.—

(1) GLOBAL COOPERATION.—The United States Government, working through the United Nations and its components, as well as international organization such as Interpol and the World Organisation for Animal Health, and in furtherance of the policies described in section 3299D, shall—

(A) collaboratively with other member states, issue declarations, statements, and communiques urging countries to close wildlife markets and prevent commercial trade in live wildlife and raw or unprocessed wildlife parts and derivatives for human consumption; and

(B) urge increased enforcement of existing laws to end wildlife trafficking.

(2) INTERNATIONAL COALITIONS.—The Secretary of State shall seek to build international coalitions focused on closing wildlife markets and preventing commercial trade in live wildlife for human consumption, with a focus on the following efforts:

(A) Providing assistance and advice to other governments in the adoption of legislation and regulations to close wildlife markets and associated trade.

(B) Creating economic and enforcement pressure for the immediate shut down of uncontrolled, unsanitary, or illicit wildlife markets and their supply chains to prevent their operation.

(C) Providing assistance and guidance to other governments on measures to prohibit the import, export, and domestic commercial trade in live wildlife for the purpose of human consumption.

(D) Engaging and receiving guidance from key stakeholders at the ministerial, local government, and civil society level in countries that will be impacted by this subtitle and where wildlife markets and associated wildlife trade is the predominant source of meat or protein, in order to mitigate the impact of any international efforts on food security, local customs, conservation methods, or cultural norms.

(3) AUTHORIZATION OF IMPOSITION OF SANCTIONS.—

(A) FINDING AND REPORT REQUIRED.—

(i) IN GENERAL.—The Secretary of State shall submit a report to the President if the Secretary, in consultation with the Secretary of Health and Human Services, the Secretary of the Interior, and the Administrator of the United States Agency for International Development, finds that—

(I) a foreign country—

(aa) continues to license or enable commercial wildlife markets; or

(bb) does not enact regulations consistent with this subtitle to ultimately eliminate those markets; or

(II) nationals of a foreign country, based on credible evidence, are trafficking or otherwise moving commercial quantities of wildlife intended for human consumption.

(ii) MONITORING AND INVESTIGATIONS.—In administering this subparagraph, the Secretary of State, in consultation with the Secretary of Health and Human Services, the Secretary of the Interior, and the Administrator of the United States Agency for International Development, shall—

(I) periodically monitor the activities of foreign entities described in clause (i);

(II) promptly investigate any activity by foreign entities that, in the opinion of the Secretary, may be cause for reporting under clause (i); and

(III) promptly conclude, and reach a decision with respect to, any investigation commenced under subclause (II).

(iii) TRANSMISSION TO CONGRESS.—Not later than 15 days after submitting a report to the President under clause (i), Secretary of State shall transmit the report to Congress.

(B) PENALTIES.—After receiving a report under subparagraph (A)(i) with respect to a country, the President may impose such economic, diplomatic, or other penalties as the President considers appropriate with respect to that country or nationals of that country, including the following:

(i) PROHIBITION ON IMPORTATION.—The President may direct the Secretary of the Treasury to prohibit the importation into the United States of any articles from the country for such period of time as the President determines appropriate and to the extent that such prohibition is permitted by the World Trade Organization (as defined in section 2(8) of the Uruguay Round Agreements Act (19 U.S.C. 3501(8))) or pursuant to the multilateral trade agreements (as defined in section 2(4) of the Uruguay Round Agreements Act (19 U.S.C. 3501(4))).

(ii) EXCLUSION FROM UNITED STATES.—

(I) IN GENERAL.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any national described in subparagraph (A)(i)(II).

(II) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Subclause (I) shall not apply with respect to an individual if admitting or paroling the individual into the United States is necessary—

(aa) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(bb) to carry out or assist law enforcement activity in the United States.

(iii) BLOCKING OF PROPERTY.—The President may exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of any national of the country, if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(iv) PREVENTION OF ACCESS TO INTERNATIONAL PAYMENT CHANNELS.—The President may work with international partners to prevent access to the Society for Worldwide Interbank Financial Telecommunications (commonly known as ''SWIFT'') network and other payment channels by any national of the country.

(C) NOTIFICATION TO CONGRESS.—Not later than 60 days after receiving a report under subparagraph (A)(i) with respect to a country—

(i) the President shall notify Congress of any action taken by the President pursuant to the report; and

(ii) if the President decides not to direct the Secretary of the Treasury to prohibit the importation of terrestrial wildlife from the country, or directs the Secretary to prohibit the importation of less than all fish, wildlife, or related articles from the country, the President shall include in the notification required by clause (i) a statement of the reasons for that decision.

(D) PERIODIC REVIEW AND TERMINATION.—

(i) PERIODIC REVIEW.—After submitting a report to the President under subparagraph (A)(i) with respect to a country, the Secretary of State, in consultation with the Secretary of Health and Human Services, the Secretary of the Interior, and the Administrator of the United States Agency for International Development, shall periodically, but not less frequently than every 2 years, review the actions of the country and nationals of the country to determine if the reasons for the finding of the Secretary under that subparagraph still exist.

(ii) TERMINATION.—Upon making a determination under clause (i) that the reasons for a finding under subparagraph (A)(i) with respect to a country no longer exist, the Secretary of State shall publish in the Federal Register notice of the determination and a statement of the facts on which the determination is based.

(c) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) SUSTAINABLE FOOD SYSTEMS FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts provided for such purposes, there is authorized to be appropriated such sums as necessary for each fiscal year from 2021 through 2030 to the United States Agency for International Development to reduce demand for consumption of wildlife from wildlife markets and support shifts to diversified alternative and sustainably produced sources of food and protein in communities that rely upon the consumption of wildlife for food security while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process, using a multisectorial approach and including support for demonstration programs.

(B) ACTIVITIES.—The Bureau for Economic Growth, Education, and Environment, the Bureau for Resilience and Food Security, and the Bureau for Global Health of the United States Agency for International Development shall, in partnership with United States institutions of higher education and nongovernmental organizations, co-develop approaches focused on safe, sustainable food systems that support and incentivize the replacement of terrestrial wildlife in diets while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process.

(2) ADDRESSING THREATS AND CAUSES OF ZOONOTIC DISEASE OUTBREAKS.—The Administrator of the United States Agency for International Development shall increase activities in USAID programs related to biodiversity, combating wildlife trafficking, sustainable landscapes, global health, food security, and resilience in order to address the threats and causes of zoonotic disease outbreaks, including through—

(A) education;

(B) capacity building;

(C) strengthening human and wildlife health monitoring systems of pathogens of zoonotic origin to support early detection and reporting of novel and known pathogens for emergency of zoonotic disease, and strengthening cross-sectoral collaboration to align risk reduction approaches;

(D) improved domestic and wild animal disease monitoring and control at production and market levels;

(E) development of alternative livelihood opportunities where possible;

(F) preventing degradation and fragmentation of forests and other intact ecosystems, particularly in tropical countries, to prevent the creation of new pathways for zoonotic pathogen transmission that arise from interactions between wildlife, humans and livestock populations;

(G) minimizing interactions between domestic livestock and wild animals in markets and captive production;

(H) supporting shifts from wildlife markets to diversified, safe, affordable, and accessible alternative sources of protein and nutrition through enhanced local and national food systems while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process;

(I) improving community health, forest management practices, and safety of livestock production in tropical landscapes, particularly in hotspots for zoonotic spillover and emerging infectious diseases;

(J) preventing degradation and fragmentation of forests and other intact ecosystems, particularly in tropical countries, to minimize interactions between wildlife, human and livestock populations that could contribute to spillover events and zoonotic disease transmission, including by providing assistance or supporting policies to—

(i) conserve, protect, and restore the integrity of such ecosystems; and

(ii) support the rights of Indigenous People and local communities and their ability to continue their effective stewardship of their intact traditional lands and territories; and

(K) other relevant activities described in section 3299D that are within the mandate of USAID.

(3) IMMEDIATE RELIEF FUNDING TO STABILIZE PROTECTED AREAS.—The Administrator of the United States Agency for International Development is authorized to administer immediate relief funding to stabilize protected areas and conservancies.

(d) STAFFING REQUIREMENTS.—The Administrator of the United States Agency for International Development, in collaboration with the United States Fish and Wildlife Service, the United States Department of Agriculture Animal and Plant Health Inspection Service, the Centers for Disease Control and Prevention, and other Federal entities as appropriate, is authorized to hire additional personnel—

(1) to undertake programs aimed at reducing the risks of endemic and emerging infectious diseases and exposure to antimicrobial resistant pathogens;

(2) to provide administrative support and resources to ensure effective and efficient coordination of funding opportunities and sharing of expertise from relevant USAID bureaus and programs, including emerging pandemic threats;

(3) to award funding to on-the-ground projects;

(4) to provide project oversight to ensure accountability and transparency in all phases of the award process; and

(5) to undertake additional activities under this subtitle.

(e) REPORTING REQUIREMENTS.—

(1) UNITED STATES DEPARTMENT OF STATE.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until 2030, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, a report—

(i) describing—

(I) the actions taken pursuant to this subtitle, including through the application of findings and recommendations generated from the study required by section 3299B and the provision of United States technical assistance;

(II) the impact and effectiveness of international cooperation on shutting down wildlife markets;

(III) the impact and effectiveness of international cooperation on disrupting, deterring, and ultimately ending wildlife trafficking; and

(IV) the impact and effectiveness of international cooperation on preventing the import, export, and domestic commercial trade in live wildlife for the purpose of human use as food or medicine, while accounting for the differentiated needs of vulnerable populations who depend upon such wildlife as a predominant source of meat or protein; and

(ii) identifying—

(I) foreign countries that continue to enable the operation of wildlife markets as defined by this subtitle and the associated trade of wildlife products for human use as food or medicine that feeds such markets;

(II) foreign governments, networks, or individuals who aid and abet or otherwise facilitate illicit wildlife trafficking; and

(III) recommendations for incentivizing or enforcing compliance with laws and policies to close wildlife markets and end the associated commercial trade in live wildlife for human use as food or medicine, which may include visa restrictions and other diplomatic or economic tools.

(B) FORM.—The report required under this paragraph shall be submitted in unclassified form but may include a classified annex.

(2) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development shall

submit to the appropriate congressional committees a report—

(A) describing the actions taken pursuant to this subtitle;

(B) describing the impact and effectiveness of key strategies for reducing demand for consumption of such wildlife and associated wildlife markets;

(C) summarizing additional personnel hired with funding authorized under this subtitle, including the number hired in each bureau; and

(D) describing partnerships developed with other institutions of higher learning and nongovernmental organizations.

SEC. 3299F. PROHIBITION OF IMPORT, EXPORT, AND SALE OF CERTAIN LIVE WILD ANIMALS FOR HUMAN CONSUMPTION.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 3 of title 18, United States Code, is amended by inserting after section 43 the following new section:

"SEC. 44. PROHIBITION OF IMPORT, EXPORT, AND SALE OF CERTAIN LIVE WILD ANIMALS FOR HUMAN CONSUMPTION.

''(a) DEFINITIONS.—In this section—

''(1) the phrase 'human consumption' shall include all consumption as food or medicine except consumption that is incidental to lawful hunting activity;

''(2) the term 'live wild animal' means a live wild mammal, bird, reptile, or amphibian, whether or not bred, hatched, or born in captivity with the exception of ruminants; and

''(3) the term 'wild' has the meaning given that term in section 42.

''(b) PROHIBITIONS.—It shall be unlawful for any person—

''(1) to import or export any live wild animal for human consumption as food or medicine;

''(2) to sell for human consumption as food or medicine a live wild animal, including through sale or purchase at a live animal market; or

''(3) to attempt to commit any act described in paragraph (1) or (2).

''(c) PENALTIES.—

''(1) IN GENERAL.—Any person who knowingly violates subsection (b) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(2) MULTIPLE VIOLATIONS.—Each violation of subsection (b) shall constitute a separate offense.

''(3) VENUE.—A violation of subsection (b) may be prosecuted in the judicial district in which the violation first occurred and any judicial district in which the defendant sold the live wild animal.''.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 3 of title 18, United States Code, is amended by inserting after the item relating to section 43 the following:

''44. Prohibition of import, export, and sale of certain live wild animals for human consumption.''.

(b) FUNDING.—There is authorized to be appropriated to carry out section 44 of title 18, United States Code, as added by subsection (a), $35,000,000 for each of fiscal years 2021 through 2030.

SEC. 3299G. LAW ENFORCEMENT ATTACHÉ DEPLOYMENT.

(a) IN GENERAL.—Beginning in fiscal year 2021, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, in consultation with the Secretary of State, shall require the Chief of Law Enforcement of the United States Fish and Wildlife Service to hire, train, and deploy not fewer than 50 new United States Fish and Wildlife Service law enforcement attachés, and appropriate additional support staff, at one or more United States embassies, consulates, commands, or other facilities—

(1) in one or more countries designated as a focus country or a country of concern in the most recent report submitted under section 201 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621); and

(2) in such additional countries or regions, as determined by the Secretary of Interior, that are known or suspected to be a source of illegal trade of species listed—

(A) as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(B) under appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249).

(b) FUNDING.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2021 through 2030.

SEC. 3299H. GLOBAL ZOONOTIC DISEASE TASK FORCE.

(a) ESTABLISHMENT.—There is established a task force to be known as the ''Global Zoonotic Disease Task Force''.

(b) DUTIES OF TASK FORCE.—The duties of the Task Force shall be to—

(1) ensure an integrated approach across the Federal Government and globally to the prevention of, early detection of, preparedness for, and response to zoonotic spillover and the outbreak and transmission of zoonotic diseases that may pose a threat to global health security;

(2) not later than 1 year after the date of the enactment of this Act, develop and publish, on a publicly accessible website, a plan for global biosecurity and zoonotic disease prevention and response that leverages expertise in public health, consumer education and communication, behavior change, wildlife health, wildlife conservation, livestock veterinary health, sustainable forest management, community-based conservation, rural food security, and indigenous rights to coordinate zoonotic disease surveillance internationally, including support for One Health institutions around the world that can prevent and provide early detection of zoonotic outbreaks; and

(3) expand the scope of the implementation of the White House's Global Health Security Strategy to more robustly support the prevention of zoonotic spillover and respond to zoonotic disease investigations and outbreaks by establishing a 10-year strategy with specific Federal Government international goals, priorities, and timelines for action, including to—

(A) recommend policy actions and mechanisms in developing countries to reduce the risk of zoonotic spillover and zoonotic disease emergence and transmission, including in support of those activities described in section 3299E;

(B) identify new mandates, authorities, and incentives needed to strengthen the global zoonotic disease plan under paragraph (2);

(C) define and list priority areas as countries or regions determined to be of high risk for zoonotic disease emergence based on, but not limited to, factors that include wildlife biodiversity, livestock production, human population density, and active drivers of disease emergence such as land use change, including forest degradation and loss, intensification of livestock production and wildlife trade; and

(D) prioritize engagement in programs that target tropical countries and regions experiencing high rates of biodiversity loss, deforestation, forest degradation, and land conversion and countries with significant markets for live wildlife for human consumption.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The members of the task force established pursuant to subsection (a) shall be composed of representatives from each of the following agencies:

(A) One permanent Chairperson at the level of Deputy Assistant Secretary or above from the following agencies, to rotate every 2 years in an order to be determined by the Administrator:

(i) The Department of Agriculture or the Animal and Plant Health Inspection Service.

(ii) The Department of Health and Human Services or the Centers for Disease Control and Prevention.

(iii) The Department of the Interior or the United States Fish and Wildlife Service.

(iv) The Department of State or the United States Agency for International Development.

(v) The National Security Council.

(B) At least 13 additional members, with at least 1 from each of the following agencies:

(i) The Centers for Disease Control and Prevention.

(ii) The Department of Agriculture.

(iii) The Department of Defense.

(iv) The Department of State.

(v) The Environmental Protection Agency.

(vi) The National Science Foundation.

(vii) The National Institutes of Health.

(viii) The National Institute of Standards and Technology.

(ix) The Office of Science and Technology Policy.

(x) The United States Agency for International Development.

(xi) The United States Fish and Wildlife Service.

(xii) Department of Homeland Security, FEMA.

(xiii) United States Customs and Border Protection.

(2) TIMING OF APPOINTMENTS.—Appointments to the Task Force shall be made not later than 30 days after the date of the enactment of this Act.

(3) TERMS.—

(A) IN GENERAL.—Each member shall be appointed for a term of 2 years.

(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that term until a successor has been appointed.

(d) MEETING.—

(1) INITIAL MEETING.—The Task Force shall hold its initial meeting not later than 45 days after the final appointment of all members under subsection (c)(2).

(2) MEETINGS.—

(A) IN GENERAL.—The Task Force shall meet at the call of the Chairperson.

(B) QUORUM.—Eight members of the Task Force shall constitute a quorum, but a lesser number may hold hearings.

(e) COMPENSATION.—

(1) PROHIBITION OF COMPENSATION.—Except as provided in paragraph (2), members of the Task Force may not receive additional pay, allowances, or benefits by reason of their service on the Task Force.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(f) REPORTS.—

(1) REPORT TO TASK FORCE.—Not later than 6 months after the enactment of this act and annually thereafter, the Federal agencies listed in subsection (c), shall submit a report to the Task Force containing a detailed statement with respect to the results of any

programming within their agencies that addresses the goals of zoonotic spillover and disease prevention.

(2) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, the Task Force shall submit to the appropriate congressional committees and the National Security Advisor a report containing a detailed statement of the recommendations of the Council pursuant to subsection (b).

(g) FACA.—Section 14(a)(2)(B) of the Federal Advisory Committee Act shall not apply to the Task Force. This task force shall be authorized for 7 years after the enactment of this Act, and up to an additional 2 years at the discretion of the Task Force Chair.

SEC. 3299I. RESERVATION OF RIGHTS.

Nothing in this subtitle shall restrict or otherwise prohibit—

(1) legal and regulated hunting, fishing, or trapping activities for sport or recreation; or

(2) the lawful domestic and international transport of legally harvested fish or wildlife trophies.

SA 1915. Mr. HICKENLOOPER (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. MICROCAP SMALL BUSINESS INVESTMENT COMPANY DESIGNATION.

(a) IN GENERAL.—Title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.) is amended—

(1) in section 301(c) (15 U.S.C. 681(c)), by adding at the end the following:

''(5) MICROCAP SMALL BUSINESS INVESTMENT COMPANY LICENSE.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Administrator may approve an application and issue not more than 10 licenses annually under this subsection with respect to any applicant—

''(i) that would otherwise be issued a license under this subsection, except that the management of the applicant does not satisfy the qualification requirements under paragraph (3)(A)(ii) to the extent that such requirements relate to investment experience and track record, including any such requirements further set forth in section 107.305 of title 13, Code of Federal Regulations, or any successor regulation;

''(ii) for which the fund managers have—

''(I) a documented record of successful business experience;

''(II) a record of business management success; or

''(III) knowledge in the particular industry or business in which the investment strategy is being pursued; and

''(iii) that, in addition to any other requirement applicable to the applicant under this title or the rules issued to carry out this title (including section 121.301(c)(2) of title 13, Code of Federal Regulations, or any successor regulation), will make not less than 25 percent of its investments in—

''(I) low-income communities, as that term is defined in section 45D(e) of the Internal Revenue Code of 1986;

''(II) a community that has been designated as a qualified opportunity zone under section 1400Z–1 of the Internal Revenue Code of 1986;

''(III) businesses primarily engaged in research and development;

''(IV) manufacturers;

''(V) businesses primarily owned or controlled by individuals in underserved communities before receiving capital from the applicant; and

''(VI) rural areas, as that term is defined by the Bureau of the Census.

''(B) PRIORITY; STREAMLINED PROCESS.—With respect to an application for a license pursuant to this paragraph, the Administrator shall—

''(i) give priority to an applicant for such a license that is located in an underlicensed State; and

''(ii) establish a streamlined process for applicants submitting such an application.

''(C) TIMING FOR ISSUANCE OF LICENSE.—Notwithstanding paragraph (2), with respect to an application for a license submitted to the Administrator pursuant to this paragraph, the Administrator shall—

''(i) not later than 60 days after the date on which the application is submitted to the Administrator, process and provide complete feedback with respect to any pre-license application requirements applicable to the applicant;

''(ii) not restrict the submission of any application materials; and

''(iii) not later than 90 days after the date on which the application is submitted to the Administrator—

''(I) approve the application and issue a license for such operation to the applicant, if the requirements for the license are satisfied; or

''(II) based upon facts in the record—

''(aa) disapprove the application; and

''(bb) provide the applicant with—

''(AA) a clear, written explanation of the reason for the disapproval; and

''(BB) a chance to remedy any issues with the application and immediately reapply, with technical assistance provided as needed and a new determination made by the Administrator not later than 30 days after the date on which the applicant re-submits the application.

''(D) LEVERAGE.—A company licensed pursuant to this paragraph shall—

''(i) not be eligible to receive leverage in an amount that is more than $25,000,000; and

''(ii) access leverage in an amount that is not more than 100 percent of the private capital of the applicant.

''(E) INVESTMENT COMMITTEE.—

''(i) IN GENERAL.—Each company licensed pursuant to this paragraph shall have not fewer than 2 independent members on the investment committee of the company in a manner that complies with the following requirements:

''(I) The independent members of the investment committee are or have been licensed managers of small business investment companies within the preceding 10-year period.

''(II) No small business investment company described in subclause (I) may adversely affected by the relationship of the independent members of the investment committee with the company licensed pursuant to this paragraph.

''(III) The independent members of the investment committee are required to approve each investment made by the company.

''(IV) The independent members of the investment committee shall not be paid a management fee, but may receive paid expenses and a portion of any carried interest.

''(ii) LEVERAGE LIMITS.—Any leverage associated with a company licensed pursuant to this paragraph shall not be counted toward the leverage limits of the independent members of the investment committee of the company under this title.''; and

(2) in section 303(d) (15 U.S.C. 683(d)), by inserting ''(or, with respect to a company licensed under section 301(c)(5), 50 percent)'' after ''25 percent''.

(b) SBA REQUIREMENTS.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Administrator'' means the Administrator of the Small Business Administration; and

(B) the term ''covered company'' means an entity that is licensed to operate as a small business investment company pursuant to paragraph (5) of section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 681(c)), as added by subsection (a).

(2) RULES.—Not later than 90 days after the date of enactment of this Act, the Administrator shall issue rules to carry out this section and the amendments made by this section.

(3) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall publicly publish a report that details, for the year covered by the report—

(A) the number of covered companies licensed by the Administrator;

(B) the industries in which covered companies have invested;

(C) the geographic locations of covered companies; and

(D) the aggregate performance of covered companies.

SA 1916. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2501(c)(1) of division B, after subparagraph (K), add the following:

(L) An assessment of laboratory biosecurity and biosafety laws, regulations, policies, guidelines, practices, and standards in the United States, how such laws, regulations, policies, guidelines, practices, and standards compare to laboratory biosecurity and biosafety laws, regulations, policies, guidelines, practices, and standards in other countries, and how such differences influence the abilities of the sectors associated with key focus areas to compete.

SA 1917. Mr. RUBIO (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2402 of division B, add the following:

(k) REVIEWS AND RECOMMENDATIONS REGARDING TECHNOLOGY AT THE CENTERS FOR INNOVATION IN ADVANCED DEVELOPMENT AND MANUFACTURING AND THE MEDICAL COUNTERMEASURES ADVANCED DEVELOPMENT AND MANUFACTURING FACILITY.—

(1) IN GENERAL.—The Secretary of Commerce, acting through the Under Secretary of Commerce for Standards and Technology, shall seek to enter into an agreement with the National Institute for Innovation in Manufacturing Biopharmaceuticals (NIIMBL) to perform the services covered by this subsection.

(2) REVIEW AND RECOMMENDATIONS.—Under an agreement between the Secretary and the National Institute for Innovation in Manufacturing Biopharmaceuticals, the National Institute for Innovation in Manufacturing Biopharmaceuticals shall, in collaboration with the Director of the Biomedical Advanced Research and Development Authority (BARDA) of the Department of Health and Human Services and the Secretary of Defense—

(A) review technology at the Centers for Innovation in Advanced Development and Manufacturing of the Department of Health and Human Services and the Medical Countermeasures Advanced Development and Manufacturing facility of the Department of Defense;

(B) develop recommendations for means to implement innovative approaches to advance United States domestic biopharmaceutical manufacturing capabilities and to ensure that the Centers for Innovation in Advanced Development and Manufacturing and the Medical Countermeasures Advanced Development and Manufacturing facility have state-of-the-art capabilities aligned with those available to the private sector; and

(C) identify other opportunities and priorities to improve the United States public health and medical preparedness and response capabilities and domestic biopharmaceutical manufacturing capabilities.

SA 1918. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division E, add the following:

SEC. 5214. DISCLOSURES REQUIRED BY UNITED STATES ENTITIES INVESTING IN THE CHINESE COMMUNIST PARTY OR THE PEOPLE'S LIBERATION ARMY.

(a) IN GENERAL.—The Director of the Office of Foreign Assets Control of the Department of the Treasury shall require any United States entity that makes an investment described subsection (b) to disclose the purpose and amount of such investments to the Director on an annual basis.

(b) INVESTMENTS DESCRIBED.—An investment described in this subsection is a monetary investment, in an amount that exceeds an amount determined by the Director, directly or indirectly—

(1) to—

(A) the Chinese Communist Party;

(B) an entity owned or controlled by the Chinese Communist Party; or

(C) the People's Liberation Army; or

(2) for the benefit of any key industrial sector championed by the Chinese Communist Party, including the following:

(A) Information technology.

(B) Artificial intelligence.

(C) The internet of things.

(D) Smart appliances.

(E) Robotics.

(F) Machine learning.

(G) Energy.

(H) Aerospace engineering.

(I) Ocean engineering.

(J) Railway equipment.

(K) Power equipment.

(L) New materials.

(M) Pharmaceuticals.

(N) Biomedicine.

(O) Medical devices.

(P) Agricultural machinery.

(c) CONSOLIDATED REPORT.—Not less frequently than annually, the Director shall compile the disclosures submitted under subsection (a) and submit that compilation and a summary of those disclosures to—

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Financial Services, the Committee on Energy and Commerce, and the Committee on Foreign Affairs of the House of Representatives.

(d) REGULATIONS.—The Director shall prescribe such regulations as are necessary to carry out this section, which may include—

(1) requirements for documents and information to be submitted with disclosures required under subsection (a); and

(2) procedures for the determining the amount under subsection (b).

(e) UNITED STATES ENTITY DEFINED.—In this section, the term ''United States entity'' means an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SA 1919. Mr. SULLIVAN (for himself, Mr. TILLIS, Mr. COTTON, and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON SUPPORT OF CERTAIN WAIVERS OF OBLIGATIONS UNDER AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS.

(a) IN GENERAL.—The United States Trade Representative may not propose or vote to support at the Ministerial Conference or the General Council the granting of a waiver of obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)) relating to copyrights, patents, industrial designs, or undisclosed data for COVID–19 vaccines.

(b) DEFINITIONS.—In this section, the terms ''Ministerial Conference'' and ''General Council'' have the meanings given those terms in section 121 of the Uruguay Round Agreements Act (19 U.S.C. 3531).

AUTHORITY FOR COMMITTEES TO MEET

Mr. WARNER. Mr. President, I have 9 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 AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 10 a.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 Thursday, May 20, 2021, at 10 a.m., to conduct a hearing a nomination.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 10:15 a.m., to conduct a hearing on referral of nominations.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 10 a.m., to conduct a hearing on referral of nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 10:30 a.m., to conduct a hearing a nomination.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, May 20, 2021, at 9:30 a.m., to conduct a hearing.

MEASURES READ THE FIRST TIME—S. 1775 AND H.R. 3237

Ms. CORTEZ MASTO. Mr. President, I understand there are two bills at the