SA 1890. 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 1891. 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 1892. 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 1893. Mr. CRUZ (for himself, Mr. JOHN- 
son, Mr. BARRASSO, Mr. COTTON, and Mr. HAUGHEY) 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 1894. Mr. CRUZ (for himself, Mr. JOHN- 
son, Mr. BARRASSO, Mr. COTTON, and Mr. HAUGHEY) 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. KAIN 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. 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 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. BLACKHURST submitted an amendment intended to be proposed to amendment SA 1708 submitted by Mrs. BURTON and Mr. LUHANN 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. 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 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. Mr. DOLE 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. COTTON, 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) 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. 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 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 Mr. 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:

At the appropriate place, insert the follow- ing:

SEC. 3. SANCTIONS WITH RESPECT TO CERTAIN OFFICIALS OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) In General.—The President shall impose sanctions as provided in subsection (b) of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 115-235; 22 U.S.C. 6601 et seq.) 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) Zhao Kezhi.

(5) Xiao Baolong.

(6) Zhang Kezhai.

(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 “necessary,” at the end and inserting the following: “To prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the United States, or possession, 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, 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. SULLIVAN) 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 RESILIENCY.

(a) STUDY REQUIRED.—The Secretary of Homeland Security shall, in coordination with the Secretary of Energy and the Secretary of Commerce, closely analyze the feasibility of authorizing a consortium within the National Laboratory system to address information technology and operational technology cybersecurity vulnerabilities in critical infrastructure (as defined in section 101(e) of the Critical Infrastructures Protection Act of 2002 (42 U.S.C. 5196c)).

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

(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) Formality of report.—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:

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

SEC__. 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. 286(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 or the Administrator of the Export-Import Bank or the Director of the Export-Import Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(ii));
“(ii) section 432A of the Foreign Assistance Act of 1961 (22 U.S.C. 2339a(j));
“(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:

SEC. 3. DISCLOSURE REQUIREMENT FOR FOREIGN STUDENTS RECEIVING FUNDING FROM THE GOVERNMENT OF THE PEOPLES REPUBLIC OF CHINA.

An alien present in the United States pursuant to 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. 3. ACCOUNTABILITY AND TRANSPARENCY TASK FORCE.

(a) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given 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) determining whether competition requirements applicable to covered funds have been satisfied;
(iii) auditing or reviewing covered funds to determine whether wrongdoing, 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 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 request such 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. ACCOUNTABILITY AND TRANSPARENCY TASK FORCE.

(a) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given 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.

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

(iii) auditing or reviewing covered funds to determine whether wrongdoing, 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 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 request such other:...
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 paragraph (1) shall be made publicly available and posted on the website established under subsection (f).

(ii) EXEMPTIONS.—Any portion of a report submitted under subparagraph (A) 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 under this section—

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

(ii) issue subpoenas to compel the testimony of persons who are not Federal officers or employees at such public hearings. Any such subpoena may be enforced in the same manner as provided for subpoenas under section 6103 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 the use of covered funds, including information about announcements of grant awards of competitive grants using covered funds.

(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 competitive nature 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 contracts.

(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 Budget and State websites.

(K) The website shall include a plan from Federal and State auditors.

(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.

(5) INDEPENDENCE OF INSPECTORS GENERAL.—

(A) IN GENERAL.—Nothing in this section shall affect the independence authority of an inspector general to determine whether to conduct an audit or investigation of covered funds.

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

(i) the Inspector General shall provide the Task Force with a written explanation of the reasons that the Inspector General has rejected the request in whole or in part; and

(ii) the Inspector General shall conduct the audit or investigation.
§ 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, analyses, and findings as to how the public can access such information online, and shall submit to each House of 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 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 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 rule under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to the 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) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) Upon receipt of a report submitted under paragraph (1), each House may provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House, or the Senate, or the House to report a bill to amend the provision of law under which the rule is issued.

(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 in order to provide for the health or safety or other emergency;

(B) necessary for the enforcement of criminal laws;

(C) necessary for national security;

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

(3) A joint resolution described in paragraph (2)(A) may take effect after 30 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 on which Congress is adjourned for more than 3 calendar days). But then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

(3) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 30-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to 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 in order to provide for the health or safety or other emergency;

(B) necessary for the enforcement of criminal laws;

(C) necessary for national security;

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

(3) A joint resolution described in paragraph (2)(A) may take effect after 30 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 on which Congress is adjourned for more than 3 calendar days). But then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

(2) After a House of Congress receives a report classifying a rule as a major pursuant to paragraph (1), 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 proceedings.

(2) 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.

(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution described in subsection (a) of section 801.

(2) In the Senate, debate on the joint resolution shall be limited to not more than 2 hours, which shall be divided equally between those opposing the joint resolution and those opposing the joint resolution. 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.

(3) 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 opposing the joint resolution 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 table, any motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

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

'802. Congressional approval procedure for major rules

(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution described in paragraph (1). 

(2) A joint resolution is introduced pursuant to paragraph (2).

(2) After a House of Congress receives a report classifying a rule as major pursuant to paragraph (1), 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 proceedings.

(2) 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.

(3) In the Senate, the committee or committees to which a joint resolution described in subsection (a) is 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 joint resolution.

(4) 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. A motion to proceed to the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to reconsider, or to a motion to withdraw from further consideration of the joint resolution.

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

(6) In the Senate, a joint resolution is read and disposed of in the same manner as a concurrent resolution.
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 to consider the passage of a joint resolution with the last day of the period described in subsection (a), 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.

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

(‘h) 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.

Section 803 is enacting Congress—

(‘a) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed to be part 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

(‘b) with full recognition of the constitutional right of either House to change the rules at any time (including rules 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.

§ 803. 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 of introduction of the joint resolution described 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 . . . 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) on or before the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a motion from a Senator signed by 25 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 to proceed (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 on which the joint resolution was 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.

(‘d)(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals relating to the joint resolution described in subsection (a), 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 limit debate or 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 recommence the joint resolution is not in order.

(‘d)(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.

(‘e) Appeals from the decisions of the Chair relating to matters concerning a rule except for purposes of determining whether a Federal register, if so published.

(‘f) In the Senate, if the committee to which a joint resolution is referred has reported, or when a committee is discharged from further consideration of a joint resolution described in subsection (a) shall be decided without debate.

(‘g) 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—

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

(‘ii) if the report under section 801(a)(1)(A) was submitted 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 referred to in subsection (a), then the following procedures shall apply:

(‘1) The joint resolution of the other House shall be referred to the committee.

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

(A) the procedure to be followed by the 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 in or is likely to result in—

(A) a rule that establishes or revises information collection requirements 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 therefor in connection with 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;

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

(‘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 section (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 822 shall not be interpreted to serve as a certification 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 that 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

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“(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;

“(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 practice 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. 905(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 take effect effective until it is not approved in accordance with such section.”.

SEC. 05. GOVERNMENT ACCOUNTABILITY OFFICE STUDY 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 801 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, project, and activity, 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 subparagraph (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)(3)(B)(i) and insert the following:

(A) 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 Commerce, Justice, Science, and Related Agencies for the applicable fiscal year is enacted into law, 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 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 “19 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:

(B) 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. 6102. 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. 155. 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.—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 quota with respect to 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 2 of title II.

[C] Title III.

[(D) Section 406.


[(G) Section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 2202(a)).

[(H) The Trading with the Enemy Act (50 U.S.C. 4301 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.

[(L) 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.

[(M) 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

(E) A joint resolution of approval is enacted pursuant to subsection (d) with respect to the action.

[(c) Report of Comptroller General.—Not later than the date when 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.—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.

[(E) Reporting.—

[(F) Joint Resolution of Approval.—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.

[(G) Place on Calendar.—A joint resolution of approval introduced in the Senate shall lie over one legislative day and then be placed on the appropriate calendar.

[(H) Prohibition on Motions to Reconsider.—A motion to reconsider a joint resolution of approval shall not be in order.

[(I) Place on Calendar.—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.

[(J) Floor Consideration in Senate.—In the Senate:

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

(B) Motion by Any Senator.—Any Senator may move to proceed to a joint resolution of approval.

(C) 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 by the Committee on Ways and Means under paragraphs (3) or (5) of 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.

(D) Motion Not Amendable.—The motion to proceed to a joint resolution of approval is not amendable. A motion to reconsider is not in order. A motion to table is not in order.

(E) Other Motions Not in Order.—After a joint resolution of approval is agreed to, motions to postpone or to consider other business are not in order.
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:

(1) 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;

(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;

(J) 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;

(2) 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 significant 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 at the end of item relating to section 154 the following:

"Sec. 155. Congressional review of unilateral trade actions."
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 annual Pell Grant unit aid for which an individual is eligible if the cost of tuition, room, and board at the institution is less than such maximum amount.

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

"(b) ENHANCED 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 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 "ELE-EMENTARY 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) in connection 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, lines 22 and 23, 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 school and secondary school students facing systemic barriers" and insert "covered students". 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 1376, lines 3 and 4, strike "elementary school and secondary school students facing systemic barriers" and insert "covered students". On page 1376, 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 26, 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:

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. 200. 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 the United States of America to be used to enhance the capability of Taiwan" and inserting "the United States will make available to Taiwan such defense articles and services in such quantity as may be necessary to maintain a sufficient level of self-defense capability" and inserting "the United States will make available to Taiwan such defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a competitive level of 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) 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) The Secretary of Commerce and the Secretary of the Treasury shall each appoint, from within their respective
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. 6. OWNERSHIP AND ASSIGNMENT OF PATENTS.

Section 251 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, application date, and other criteria established by the Office.

"(3) EFFECT OF FAILURE TO COMPLY.—No party may recover, for infringement of a patent in which 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; and

(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;"

(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. 6. 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 drugs, and to support activities described in paragraph (3) (A) recommended by the Secretary.

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

(A) has implemented and maintains an effective quality assurance system, as required by 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 STOCKPILE.—The Secretary may use amounts appropriated under this Act to purchase essential generic antibiotic drugs, under the authority granted to the Secretary by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 330), to be used in the event of an emergency and to maintain a stockpile of essential generic antibiotic drugs.

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

(1) ACTIVE PHARMACEUTICAL INGREDIENT.—The term "active pharmaceutical ingredient" means the active ingredient of an essential generic antibiotic drug that is approved by the Secretary.

(2) 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 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 adequate quantity to meet patient needs, including beta-lactams (including penicillin and cephalosporin derivatives) and non-beta-lactams (including tetracycline and aminoglycoside derivatives).

(3) FEDERAL FUNDS.—The term "federal funds" means funds provided under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 330) to the Secretary to purchase, distribute, and maintain essential generic antibiotic drugs.

(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 Act, 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, 2022.

(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 antibi-otics the Secretary should prioritize for purposes of the program under subsection (a), based on factors that include necessity of such drugs, vulnerability to foreign supply chain disruption, 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.
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. 1. 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. 688(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—

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”;

(C) 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. 638);”

and

(D) 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. 666(b)(2)) is amended by adding at the end the following:

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

“(1) DEFINITIONS.—In this subparagraph—

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

“(B) the term ‘cost of a 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).

“(2) REQUIREMENTS.—In calculating the outstanding leverage of a company for purposes of subparagraph (A), the Administrator shall exclude the amount of any proceeds received by 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, from a company licensed during the applicable fiscal year.

“(3) LIMITATIONS.

“(A) AMOUNT OF EXCLUSION.—The amount excluded under clause (1) for a company shall not exceed 33 percent of the private capital of that company.

“(B) 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.

“(C) OTHER TERMS.—The exclusion of amounts under clause (1) shall be subject to such terms as the Administrator may impose to ensure that there is no cost with respect to the purchasing or guaranteeing any debenture involved.

“(d) 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.—In order to carry out 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:

“(AA) 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 Science, Space, and Technology of the House of Representatives a report on the findings of the meetings, including recommendations on how to implement changes to programs under this section.

“(gg) 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” and adding at the end the following:

“(T) the annual meeting required under subsection (w);

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

(C) in subparagraph (L), by striking the period at the end and inserting “; and”;

(D) in subparagraph (M), by striking the period at the end and inserting “; and”;

(E) in subparagraph (N), by striking the period at the end and inserting “; and”;

(F) by inserting “and” at the end of subparagraph (AA);”.

“(h) 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) Watches, insulin pumps, and needles or injection devices.

“(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) Sleeping bags.

“(V) Gauze and bandages.

“(W) Tents and tarpaulins.

“(X) Any other critical safety item as determined by the head of the agency.

“(y) FRONTLINE OPERATIONAL COMPONENT.—The term ‘frontline operational component’ means any of the following components of the item:

“(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.
emergency declared by the President; and

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

(iii) description of the demand for the covered item and corresponding lack of supply from contractors able to meet the cri-

teria 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 those procedures and guidelines specified in the Federal Acquisition Regulation.

(d) Report.—Not later than 1 year after the date of enactment and annually thereafter, the Secretary shall pro-

vide 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 Gov-

ernmental Affairs and the Committee on Appropriations of the Senate, the Committee on Homeland Security of the House of Representatives a study of the ade-

quacy of ongoing efforts to provide employees of frontline operational components on or after the date that is 180 days after the date of enactment of this sec-

tion.

(b) Study.—

(1) In general.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall sub-

mit 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 ade-

quacy of ongoing efforts to provide employees of frontline operational components as de-

fined 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 sur-

vey of employees from across the Depart-

ment who receive uniform allowances that seeks to ascertain what, if any, improve-

ments 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 date of the enactment of this Act, for each of the fiscal years 2022 through 2026.

SEC. 3601. AUTHORIZATION OF APPROPRIATIONS.

(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 agen-

cies, including the European Monitoring Centre for Drugs and Drug Addiction, and regulatory agencies in foreign countries.

(c) Funding.—The program to provide assistance to build the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section 3602, shall be carried out through the Foreign Operations Appropriations Act for the fiscal year in which funds are appropriated.

(d) Authorities.—The Secretary of State is authorized to carry out this section by written agreement with the government of each foreign country that requests assistance.

SA 1745, Mrs. SHAREEN (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 the Program to Provide Assistance to Build the Capacity of Foreign Law Enforcement Agencies with Respect to Covered Synthetic Drugs.

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

(b) Appropriate Congressional Committee.—In this section, the term “appropriate congressional committee” 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. 2260), 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 forensic detection capabilities with respect to covered synthetic drugs.

(b) Priority.—The Secretary of State shall prioritize assistance under subsection (a) with respect to countries described in sub-

section (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 ex-

ploited for development or procurement of precursors of covered synthetic drugs;

(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 any 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 APPOINTMENTS.—(1) 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.—In section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2219a(a)), (B) is new or has reemerged on the illicit market; and

(2) The term "new psychoactive substance" has a new definition.

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

(c) A country in which—

(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 transparency of country reports on contraband 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. 3606. DEFINITIONS.

In this title:

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

(A) a synthetic controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802(h)), 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 included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or

(B) 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;

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

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

SA 1746. Mr. LUGJAN 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 on the National Nuclear Security Administration.

TECHNOLOGY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) the Department means the Department of Energy;

(2) the term "NNSA" means the National Nuclear Security Administration;

(3) The term "Secretary" means the Secretary of Energy;

(b) PROGRAM REQUIREMENTS.—The program established under subsection (b)(1).

(1) The program shall be carried out as part of exchange programs, to include the following:

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

(ii) An assessment of the impact of such policies on the licit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies in reducing the illegal manufacture and transport of viruses; and

(iii) 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 PRODUCTION COUNTRY.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 229(e)) is amended—

(1) by striking "(2)—" and inserting the following:

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

(1) A country in which—

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

(ii) A country in which—

(C) by redesignating subparagraphs (A), (B), and (C) as clauses (1), (ii), and (iii), respectively, and moving such clauses, as so redesignated, to the end of that paragraph;

(D) in paragraph (4) by redesignating that paragraph with the words "(iii)"; and

(E) in paragraph (5) by inserting at the end the following new subparagraph:

(5) The term "major drug transit country" means a country through which are transported illicit narcotic or psychotropic drugs or other controlled substances 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 advocate for more transparency of country reports on contraband by the International Narcotics Control Board; and

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

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

"(i) Which governments have articulated policies to reduce the domestic availability of such substances, done at Vienna February 21, 1971;

"(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 impact of such policies on the licit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies in reducing the illegal manufacture and transport of viruses; and

"(v) Any data on impacts of such policies and other responses to such substances.

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

SEC. 25. NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) the Department means the Department of Energy;

(2) the term "NNSA" means the National Nuclear Security Administration;

(3) The term "Secretary" means the Secretary of Energy;

(b) PROGRAM REQUIREMENTS.—The program established under subsection (b)(1).

(1) The program shall be carried out as part of exchange programs, to include the following:

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

(ii) An assessment of the impact of such policies on the licit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies in reducing the illegal manufacture and transport of viruses; and

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

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

(b) DEFINITION OF MAJOR ILLICIT DRUG PRODUCTION COUNTRY.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 229(e)) is amended—

(1) by striking "(2)—" and inserting the following:

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

(1) A country in which—

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

(ii) A country in which—

(C) by redesignating subparagraphs (A), (B), and (C) as clauses (1), (ii), and (iii), respectively, and moving such clauses, as so redesignated, to the end of that paragraph;

(D) in paragraph (4) by redesignating that paragraph with the words "(iii)"; and

(E) in paragraph (5) by inserting at the end the following new subparagraph:

(5) The term "major drug transit country" means a country through which are transported illicit narcotic or psychotropic drugs or other controlled substances 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 advocate for more transparency of country reports on contraband 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. 3606. DEFINITIONS.

In this title:

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

(A) a synthetic controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802(h)), 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 included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or

(B) 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;

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

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

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

"(i) Which governments have articulated policies to reduce the domestic availability of such substances, done at Vienna February 21, 1971;

"(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 impact of such policies on the licit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies in reducing the illegal manufacture and transport of viruses; and

"(v) Any data on impacts of such policies and other responses to such substances.

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

SEC. 25. NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) the Department means the Department of Energy;

(2) the term "NNSA" means the National Nuclear Security Administration;

(3) The term "Secretary" means the Secretary of Energy;

(b) PROGRAM REQUIREMENTS.—The program established under subsection (b)(1).

(1) The program shall be carried out as part of exchange programs, to include the following:

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

(ii) An assessment of the impact of such policies on the licit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies in reducing the illegal manufacture and transport of viruses; and

(iii) Any data on impacts of such policies and other responses to such substances.
(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 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 innovation and deployment of innovative biodefense assessments and solutions, including through—
(I) monitoring, evaluation, and visualization 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 collection, access, storage, and security at scale; and
(ee) risk assessment tools.
(B) Resources.—The Secretary shall ensure that the Program, including collaboration between appropriate industry and academic institutions to promote innovation and knowledge creation.

SEC. 6302. STUDY ON ELECTRIC VEHICLE EMISSIONS.
(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 "relating to unfair methods of competition.

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 appropriate place, insert the following:

SEC. 2308. PRIORITIZATION AND PROTECTION OF NATIONAL SECURITY.
(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 that, when 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 2301 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 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 acutus (Blacknose). (New)
5. Carcharhinus limbatus (Blacktip). (New)
6. Sphyrna longimanus (Oceanic whitetip).
7. Carcharhinus leucas (Bull). (New)
8. Carcharhinus isodon (Finetooth).
9. Mustelus norrisi (Florida smoothhound).
10. Mustelus concolor (Gulf smoothhound).
11. Sphyra mokarran (great Hammerhead). (New)
12. Sphyra lewini (scalloped Hammerhead).
15. Ginglymostoma cirratum (Nurse). (New)
16. Lamna nasus (Porbeagle).
17. Isurus oxyrinchus (Shortfin Makos).
18. Carcharhinus brevipinnia (Spinner).
19. Aloiopsis vulpinus (Thresher).
20. Galeorhinus galeus (Tiger). (New)
21. Carcharhinus plumbeus (Sandbar). (New)

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) PROHIBITIONS RELATING TO CERTAIN COMMUNIST CHINESE MILITARY COMPANIES.—

(1) DEFINITIONS.—In this subsection:

(A) the percentage of the securities of an issuer that are owned by governmental entities in the People's Republic of China; or
(B) that are listed on exchanges in the People's Republic of China or listed on an exchange in the People's Republic of China; or
(C) whether the registrant intends to track the returns of, or benchmarks against, a specific index of securities; and
(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) 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 by a vote of a majority of the outstanding voting securities of the investment company, the investment company may not continue to 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.

(3) 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 AMENDMENTS.—(1) In 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(a)(1)(B)" and inserting "section 13(d)(1)(B)".

(c) UPDATES TO RULES.—Not more than once 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) whether the issuer that is 1 year after the date on which the entity was a covered entity beginning on the date

(B) 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

(C) whether the investment company was unable to obtain any of the information required under any of subparagraphs (A) through (D).
(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. 78a(a)).

(B) LIMITATION ON ACTIONS.—(I) IN GENERAL.—The Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) is amended—

(1) In section 12(d)(1)(A) of the Investment Company Act of 1940 (15 U.S.C. 80a-12(d)(1)), by adding at the end the following:

“(1)(A) It shall be unlawful for any investment company, or any person that would be an investment company but for the application of clause (I) in such a manner that minimizes the risk of fraud or manipulation, to effect transactions in any covered security, including pursuant to an exemption to section 5 of the Securities Act of 1933 (15 U.S.C. 77e).

(II) a plan for a phase-out of the goods or services provided by the covered entity, including—

(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) the methods by which that Government seeks to manage such inflows; and

(II) 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.

(2) EXCHANGES—The Secretary of Commerce, or the Director of National Intelligence, acting through the Federal Executive Office for National Intelligence shall consult with the Secretary of Defense, the Secretary of Treasury, the Attorney General, and the Director of the Federal Bureau of Investigation, and the Secretary of Defense and the Director of National Intelligence shall—

(1) meeting the strategic goals of that Government, including defense, surveillance, and intelligence goals; and

(2) the fusion of the civilian and military components of that Government.

(3) SUBMISSION TO CONGRESS.—The Director of the Office of Commercial and Economic Analysis of the Air Force shall submit to Congress a report—

(SA 1753. Mr. RUBIO (for himself and Mr. REPSWILL) 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 plan on socioeconomic benefits for LIST OF COMMUNIST CHINESE MILITARY COMPANIES.—Section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 2019 (Public Law 105-261; 50 U.S.C. 1701 note) which is made after the effective date of the amendments made by this paragraph.

(bb) during the period beginning on the date which is 2 years after the date of enactment of this Act (4 years after such date of enactment, in the case of a governmental plan).
other purposes; which was ordered to be printed...

SEC. 321. SMALL BUSINESS AND DOMESTIC PRODUCTION RECOVERY INVESTMENT FACILITY.

(a) Definitions.—In this section:

(A) small business concern.—The term ‘eligible small business concern’—

(B) in paragraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”;

(3) by adding the following:

(C) $20,000,000, adjusted every 5 years for inflation, with respect to each licensee authorized to sell bonds to Administration as a participating investment company under section 321; and

(b) Administration of facility.—The Administrator shall—

(1) bluetooth...

The purpose of a provision in this section at the time of application;...

II) allow the applicant to more effectively raise capital commitments in the private markets by reducing the intended commitment of the Administration 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.

(ii) 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.

(c) Commitments and SBIC bonds.—

(I) 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 accrual bonds that include equity features as described in this subsection.

(II) commitments.—A bond purchased by the Administrator from a participating investment company under this subsection shall have the following terms and conditions:

(A) Definition and intent.—

(B) 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) interest.—Interest on the bond shall accrue and be payable in accordance with subparagraph (A).

(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 or profit sharing compensation of the participating investment company equal to the quotient obtained by dividing—

(i) one-third of the amount of the participating investment company approved for 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)—

shall be determined at the time of approval under subsection (d).

(ii) without the approval of the Administration, shall not be revised, including to reflect subsequent distributions of profits, repayments of capital, or repayments of bonds, or otherwise.

(C) Profit sharing performance compensation.—

(i) receipt by administrator.—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).

(iii) prohibition on distributions.—No distribution 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.

(iv) repayment of principal.—Except as described in subparagraphs (A) and (B) of section 122 of the Small Business Act (15 U.S.C. 632(a)), any bond committed under this section at the time of application;...

the individual, entitled to receive a share of the profits or profit sharing compensation of the participating investment company equal to the quotient obtained by dividing—

(A) the approval of initial management;

(B) the management ownership diversity requirement;

(C) the disclosure of general compensation structure; or

(D) any other requirement that the Administrator determines to be an obstacle to achieving the purposes described in this paragraph.

(iii) other purposes.—The purpose of a provision in this section at the time of application;...

II) allow the applicant to more effectively raise capital commitments in the private markets by reducing the intended commitment of the Administration to award the applicant a commitment; and

III) authorize the applicant to more precisely request the desired amount of commitment pending the securing of capital from private market investors.

(iv) 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.

(v) Commitments and SBIC bonds.—

(I) 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 accrual bonds that include equity features as described in this subsection.

(II) commitments.—A bond purchased by the Administrator from a participating investment company under this subsection shall have the following terms and conditions:

(A) Definition and intent.—

(B) 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) interest.—Interest on the bond shall accrue and be payable in accordance with subparagraph (A).

(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 or profit sharing compensation of the participating investment company equal to the quotient obtained by dividing—

(i) one-third of the amount of the participating investment company approved for 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)—

shall be determined at the time of approval under subsection (d).

(ii) without the approval of the Administration, shall not be revised, including to reflect subsequent distributions of profits, repayments of capital, or repayments of bonds, or otherwise.

(C) Profit sharing performance compensation.—

(i) receipt by administrator.—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).

(iii) prohibition on distributions.—No distribution 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.

(iv) repayment of principal.—Except as described in subparagraphs (A) and (B) of section 122 of the Small Business Act (15 U.S.C. 632(a)), any bond committed under this section at the time of application;...

(A) the approval of initial management;

(B) the management ownership diversity requirement;

(C) the disclosure of general compensation structure; or

(D) any other requirement that the Administrator determines to be an obstacle to achieving the purposes described in this paragraph.

(iii) other purposes.—The purpose of a provision in this section at the time of application;...

II) allow the applicant to more effectively raise capital commitments in the private markets by reducing the intended commitment of the Administration to award the applicant a commitment; and

III) authorize the applicant to more precisely request the desired amount of commitment pending the securing of capital from private market investors.

(iv) 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.

(v) Commitments and SBIC bonds.—

(I) 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 accrual bonds that include equity features as described in this subsection.

(II) commitments.—A bond purchased by the Administrator from a participating investment company under this subsection shall have the following terms and conditions:

(A) Definition and intent.—

(B) 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) interest.—Interest on the bond shall accrue and be payable in accordance with subparagraph (A).

(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 or profit sharing compensation of the participating investment company equal to the quotient obtained by dividing—

(i) one-third of the amount of the participating investment company approved for 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)—

shall be determined at the time of approval under subsection (d).

(ii) without the approval of the Administration, shall not be revised, including to reflect subsequent distributions of profits, repayments of capital, or repayments of bonds, or otherwise.

(C) Profit sharing performance compensation.—

(i) receipt by administrator.—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).

(iii) prohibition on distributions.—No distribution 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.

(iv) repayment of principal.—Except as described in subparagraphs (A) and (B) of section 122 of the Small Business Act (15 U.S.C. 632(a)), any bond committed under this section at the time of application;...
“(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, dissolution, 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.
“(g) DEPOSITING OF AMOUNTS.—
“(A) IN GENERAL.—All amounts received by the Administrator from a participating investment company related 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.
“(3) 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 318(c), the Administrator 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.—
“(A) DISTRIBUTIONS.—As a condition of receiving a commitment under the facility, a participating investment company shall make distributions to the Administrator in the same form and in a manner as are made to investors, or otherwise at a time and in amount 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.
“(C) FEES.—The Administrator may charge fees for participating investment companies other than examination fees that are consistent with a license of the participating investment company.
“(d) BITURUNION.—Losses on bonds issued by participating investment companies shall not be offset by fees or any other charges on debenture small business investment companies.
“(e) PROTEGE PROGRAM.—The Administrator shall establish a pathway-protege program in which a protege investment company may receive technical assistance and pregnancy support from a participating investment company on a voluntary basis and without penalty for non-participation.
“(f) ELECTRONIC SUBMISSIONS.—The Administrator shall 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 4338 of title 5, United States Code, is amended by adding at the end the following:

“(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 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. 724) 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 I 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’’.

Sec. 1400AA–1. Medical product manufacturing in economically distressed zone credit.

Sec. 1400AA–2. Credit for economically distressed zone property services acquired by domestic medical product manufacturers.
"SEC. 1400AA–3. Special rules to secure the national supply chain.


"SEC. 1400AA–5. Medical product manufacturing in economically distressed zone credit.

"(a) ALLOWANCE OF CREDIT.—There shall be allowed against the tax imposed by subtitle A for the taxable year an amount equal to 40 percent of the sum of—

(i) the aggregate amount of the taxpayer's medical product manufacturing economically distressed zone wages for such taxable year,

(ii) the allocable employee fringe benefit expenses of the taxpayer for such taxable year, and

(iii) 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 90, 32, and any other provision determined by the Secretary to be titular terms.

"(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 began.

"(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 paid or incurred 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.

"(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.

"(C) 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.

"(D) QUALIFIED MEDICAL PRODUCT MANUFACTURING FACILITY PROPERTY.—The term 'qualified medical product manufacturing facility property' means any property initially 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.

"(E) MEDICAL PRODUCT; ESSENTIAL COMPONENT.—

"(A) MEDICAL PRODUCT.—The term 'medical product' means—

"(i) a device, as defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)); or

"(ii) 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 (21 U.S.C. 802);

"(B) is located within an economically distressed zone, and

"(C) 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 (21 U.S.C. 802).

"(F) ESSENTIAL COMPONENT.—The term 'essential component' means, with respect to a qualified medical product manufacturing facility—

"(1) 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 (21 U.S.C. 802);

"(2) is located within an economically distressed zone, and

"(G) 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(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 times the aggregate amounts paid or incurred by the taxpayer during such taxable year for qualified products or services.

"(b) APPLICABILITY.—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 manufactured into a medical product 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).

"(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 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 REPRODUCTION OF 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.


"(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 preceding calendar years to the tax imposed by subtitle A for the taxable year an amount equal to the applicable percentage times the aggregate amounts paid or incurred by the taxpayer during such taxable year for qualified products or services.
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 of an economically distressed area may be filed by a State or local government in which the population census tract to which the application applies is located.

"(2) CONTENTS.—Such application shall include a strategic plan for accomplishing the purposes of this subchapter, which shall—

(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 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 existing business entity conducting business operations in any 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 the area's population 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 will not result in a decrease in the area's population or in any other area where the existing business entity conducts business operations.

(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 area described in subsection (a) shall remain in effect for 15 years, or such shorter period 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).

"(d) CLERICAL AMENDMENT.—The table of subchapters for chapter 1 of the Internal Revenue Code of 1986 is amended by adding after the last entry in the table the entry "SUBCHAPTER AA—MEDICAL PRODUCT MANUFACTURING IN ECONOMICALLY DISTRESSED ZONES".

"(e) REGULATIONS.—The Secretary shall make regulations necessary to carry out this section.

"(f) CONSULTATION.—The Secretary shall consult with the Head of the Office of Management and Budget and other appropriate Federal entities in carrying out this section.

"(g) MISCELLANEOUS.—Nothing in this section shall be construed to—

(A) limit the authority of the Secretary in accordance with section 2501B.

(B) prevent the Secretary from issuing regulations that may be necessary to carry out the purposes of this section.

(C) repeal any other law or any regulation in effect on the date of the enactment of this Act.

"(h) Application.—The application for designation submitted by the Governor of the Commonwealth of Puerto Rico under subsection (b) shall be transmitted to the Secretary and the Secretary of Health and Human Services.

"(i) Funding.—The Secretary shall use the amounts made available under section 2501B to carry out the purposes of this section.

"(j) Biennial review.—The Secretary shall submit to Congress a report on the implementation of the national science and technology strategy of the United States.

"(k) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

"(l) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

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 is disproportionately harmed by the COVID-19 pandemic and prior epidemics and pandemics;

(2) the therapies currently available, and whether they have demonstrated and potential 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 distribution 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 505(d)(3) of such Act (21 U.S.C. 355(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 at 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 resilience 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 the date 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 under section 1062 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 coordinate with the Director of the Office of Management and Budget and the heads of other appropriate Federal entities in preparing the national science and technology strategy in accordance with section 2501B.

(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, 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 Homeland Security and Governmental Affairs, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(B) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(D) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(F) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(G) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(H) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(I) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Energy and Commerce, the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(k) INTERAGENCY.—The term "interagency" with respect to a review means that the review is conducted in coordination between Federal agencies, including the Department of Commerce, 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 on 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 conduct 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 enterprise 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 States 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, with 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, 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 and integrating national security; and
(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, mathematic, 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 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 establishes to assess priorities 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, including advanced computer hardware.
(iv) Essential public, private, 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, sub-urban, and Tribal areas.
(v) Physical science 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) Trends in 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.
(C) Other such 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) Assessments by the 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.
(D) The extent to which government procurement policies to encourage domestic production.
(IV) Government-mandated production, including under the Defense Production Act (50 U.S.C. 4501 et seq.).
(V) Trade agreements that advance 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 and how that contributes to 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 work 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 technology;
(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 completed, 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.
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, and 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. 3. 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;

(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 Energy to represent the Department of Energy.

(E) At least one individual selected by the Secretary of Labor to represent the Department of Labor.

(F) At least one individual selected by the Secretary of Transportation to represent the Department of Transportation.

(G) At least one individual selected by the Attorney General to represent the Department of Justice.

(I) At least one individual selected by the Attorney General to represent the Department of Homeland Security.

(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 strategy and report 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 impact on national security and economic competitiveness;

(B) describe and analyze the ways in which standards setting processes can be improved by government for Protectionists ends and human rights abuses;

(C) establish and execute a strategy to ensure credibility and engagement with international institutions;

(D) develop a list of allies and partners with which to align with respect to the strategy to be established and executed under paragraph (B).

(e) ENGAGEMENT.—In carrying out the duties of the Task Force, the Task Force shall engage with academia and the private sector.

(f) 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. MORAÑA) 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, and 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:

820152 Payments received for commercial space-enable production

(1) ANNEXATION.—

(A) 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—

(i) permits the use of the ISS by such private entity to produce a commercial product or service; and

(ii) provides the total unreimbursed cost of a contribution by 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 (51 United States Code 504(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 nature, profitable private entity described in that paragraph, as appropriate, through a tiered process that reflects the profitability of the relevant product or service.

(b) 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:

(1) To defray the operating cost of the ISS.

(2) To develop, implement, or operate future low-Earth orbit platforms or capabilities.

(3) To develop, implement, or operate future human deep space platforms or capabilities.

(4) 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.

(c) LICENSING AND ASSIGNMENT OF INVENTIONS.—Subparagraphs (b) and (c) of section 3710c of title 15 and any other provision of law, after payment in accordance with subsection (a)(1) of such section 3710c(a)(1)(A)(i) to 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).

(d) DONATIONS.—There shall be deposited in the Fund—

(1) amounts appropriated to the Fund;

(2) fees collected by the Administrator under subsection (a);

(3) royalties and other payments collected by the Administrator or the ISS management entity under subsection (b); and

(4) 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(B) 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.—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.

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. MANKIND, 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 referred to 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; and

**(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)** any cancer;

**(B)** malignant mesothelioma;

**(C)** pneumonia, including silicosis, asbestosis, and other pneumoconioses, and other occupational lung diseases, including asbestos-related pleural disease;

**(D)** any illness identified in a health study report under section 6401A of the Toxic Exposure Safety Act of 2021 or a report under section 5615 of the Department of Defense;

**(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)** 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 the Department of Energy, 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 section (b), may designate—

**(A)** the 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 Workers’ Health, 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 section (a)(1), which shall include a requirement that the Secretary shall make initial determinations regarding such designations.

**(c) REPORT TO CONGRESS.—**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 Congress 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 maximum 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;

**(D)** RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this section, 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;

**(e) 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. 7381i(1)) is amended by adding at the end the following:

**(D)** A Department of Energy employee or atomic weapons employee who—

**(1)** 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;

**(e) INFORMATION.—**The Secretary of the Department 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.

**(f) 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); and

**(3)** any other database used by the Secretary of Labor to evaluate claims for compensation under this title;

and

**(g)** 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 as a percentage of all claims, 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 the Department 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. 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 the Department of Energy shall, in coordination with the Secretary of Labor, 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, 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.

**SEC. 6404. ASSISTING CURRENT AND FORMER TOXIC EXPOSURE SAFETY ACT OF 2021 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. 7385s–4(c)(1)) is amended by inserting “including chemical or combinations or mixtures of a toxic substance, including heavy metals, and radiation)” after “toxic substance” each place such term appears.
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 3671(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 by—

(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 of subsection (a) the following:

“(d) COPY OF EMPLOYEE’S CLAIMS RECORD.—

(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) SOURCE 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

SECTION 6405. RESEARCH PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF TOXIC EXPO- SURES.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘program 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. 7385s–6).

(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 other programs of the Director of the Office of Disease Prevention and Health Promotion, shall—

(1) establish a program of research and training to—

(A) define and understand the 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; and

(b) FUNDING.—There shall be appropriated to the Secretary of Labor an amount to carry out this program.

(c) USE OF FUNDS.—Research under subsection (b) may include research on the epidemiological, clinical, or health impacts of exposures to toxic substances at Department of Energy facilities.
There are authorized to be appropriated to—

(a) the Department of Energy and National Academy of Sciences, to carry out the National Academy of Sciences transmits to the Secretary the first report submitted under section 6405(f) of the Toxic Exposure Safety Act of 2021, review and summarize the scientific evidence relating to the area, including—

(1) 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 subparagraph (A) and (B) of paragraph (1), the National Academy of Sciences shall—

(A) assess the strength of such evidence;

(B) assess whether a statisticalassociation between exposure to toxic substances 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 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, dementia, and certain neurological and developmental disabilities, as well as long-term and chronic obstructive pulmonary disease; and

(E) determine whether a plausible biologic 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 section 6405(f), recommendations for areas of additional study, consisting of—

(1) a list of diseases and toxics 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 toxics;

(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 reviews and studies and in accordance with the rules promulgated by the Secretary under section 6713(b), qualify for inclusion in the Toxic Special Exposure Cohort under section 6711A; 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); and

(e) 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.

(b) SUNSET.—This section shall cease to be effective for the 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. 7381 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 3613; and

(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 3617 the following:

"""Sec. 3617A. 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

(e) in each of subsections (b)(1) and (c) of section 3612, by striking """"3614(b)"""" and inserting """"3616(b)"""";"
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 6(a)(2)(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.—The Secretary may not make grants to eligible entities to establish a regional technology hub program, to require a new Directorate for Technology and Innovation in the National Science Foundation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

(b) ELIGIBLE ENTITIES.—

(1) Eligible entities shall be 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) DELEGATION.—The Secretary shall establish a deadline for the submission 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; and

(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.

(e) AMOUNT.—A grant or other financial assistance 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 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 without making grants to small businesses 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) a non-Federal contribution from a non-Federal source; or

B) 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

(2) SOURCES OF NON-FEDERAL CONTRIBUTIONS.—Non-Federal contributions under paragraph (1) may be derived from non-Federal contributions provided by the eligible entity 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 or 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; and

(B) whether the project was 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 Technology of the Senate a report containing the information described in subparagraphs (A), (B), and (C) of that paragraph.

(3) FINAL REPORT OF THE SECRETARY.—Not later than 180 days after the date on which any amounts appropriated for the Program are expended, the Secretary shall submit to the Committee on Commerce, Science, and Technology of the Senate a 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 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. 1290, 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. 210. 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. 219. STAFF TO ENSURE GRANT COMPLIANCE.

Notwithstanding any other provision of law, the Director shall, in consultation with the Foundation, ensure that all grants awarded by the Foundation to ensure foreign government talent recruitment programs do not disqualify the recipient from being awarded foreign government contracts, grants, or cooperation agreements.

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. 219. STAFF TO ENSURE GRANT COMPLIANCE.

Notwithstanding any other provision of law, the Director shall, in consultation with the Foundation, ensure foreign government talent recruitment programs do not disqualify the recipient from being awarded foreign government contracts, grants, or cooperation agreements.

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. 310. DEPARTMENT OF DEFENSE DATA STRATEGY.

(a) STRATEGY AND BRIEFING REQUIRED.—Not later than 180 days after October 1, 2020, 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

(b) brief the Committee on Armed Services and the Committee on Armed Services of the House of Representatives on Armed Services of the House of Representatives on the strategy developed under paragraph (1).

SEC. 311. ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) A plan for incorporating standards laid down by the 2020 Department of Defense Data Strategy in policies governing personnel and acquisitions programs.

(2) A plan for the Department to 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 the use of data and how technological solutions could enhance policies focused on data protection that is tailored to authorized users.

(4) A description of the security and data classification standards that 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. 631. STUDY ON NATIONAL LABORATORY CONSORTIUM FOR ANALYSIS OF THE EFFECT OF NUCLEAR 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 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 resilience 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 technologies that could help automate that process and implement classification policies and procedures.

(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 Security Initiative;

(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.

Repeal.—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 required 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 ACTIVITIES 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” means—

(1) 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. 26. 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 enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to require that a contractor shall, as a condition of entering into or renewing a contract with a covered entity, 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 3 years, to a covered entity, and to a covered entity, and to a covered entity.

SEC. 27. CYBERSECURITY TECHNOLOGY.

(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; and

(3) the term “cyberspace threat” has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(b) Grant Program.—Not later than 180 days after the date of the enactment of this Act, the Department of Homeland Security shall 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. 28. 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; and

(3) the term “cyberspace threat” has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).
SA 1769. Mr. MENENDEZ (for himself and Mr. TIMM) 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 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. 5250. 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 section 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 overview of the supply chain and enable the National Institute of Standards and Technology to understand whether there is a need for some manufacturers to meet the need of urgent products, such as defense supplies, food, and medical devices, including personal protective equipment.

(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 program or its designee to the National Supply Chain Database.

(d) 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.

(1) IN GENERAL.—The National Supply Chain Database may—

(A) provide basic company information;

(B) provide basic company capabilities, accreditations, and products;

(C) contain proprietary information; and

(D) include other items determined necessary by the Director (the ‘‘NIST’’).

(2) SEARCHABLE DATABASE.—The National Supply Chain Database shall use the North American Industry Classification System (NAICS) Codes, 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 purposes of making better use of domestic resources and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

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 resilience program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

CHAPTE R 52—CERTAIN TYPES OF HUMAN-ANIMAL CHIMERAS PROHIBITED

"Sec. 13.132. Prohibition on human-animal chimeras.

(1) HUMAN OR NONHUMAN ORGAN ANIMAL OR CHIMERA.

(a) IN GENERAL.—The term ‘human an- animal chimera’ means—

(1) an embryo produced by introducing a nonhuman nucleus into a human egg;

(2) an embryo produced by introducing a human nucleus into a nonhuman egg;

(3) (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 it contains a human brain or a brain derived wholly or predominantly from human neural tissues;

(I) a nonhuman life form engineered such that it contains a human brain or a brain derived wholly or predominantly from human neural tissues;

(J) an embryo produced by mixing human and nonhuman cells, such that—

(1) it contains human genetic material;

(2) it contains human cellular elements;

(3) it contains human proteins;

(4) it contains human organelles;

(5) it contains human stem cells;

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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 3107(c), add the following: "The Director shall require not less than the amount of the 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 7002(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 7002(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)).

SA 1777. Mr. RUBIO (for himself and Mr. Mikkelsen) 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 RELENTLESS RELIABILITY OF RARE EARTH MINERALS.

(a) FINDINGS.—

(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 from 2011 and 2017.

(B) In 2018, the United States imported an estimated 80 percent of its rare earth components from China’s People’s Republic. China.

(C) On March 12, 2021, the World Trade Organization ruled that the People’s Republic of China’s export restraints on rare earth minerals violated its obligations under its bilateral trade agreements with the United States Trade Representative, 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 development of strategic projects, production technologies, and refining facilities in the United States;

(ii) in partnership with strategic allies of the United States that have reliable trade 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 REQUIREMENTS.

(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 subsection (a), 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 5% 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 this period and on 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.

(c) OFFICIALS.—The officials specified in this paragraph are the following:

(1) The Secretary of State.

(2) The Secretary of Commerce.

(3) The Chairman or the Acting Chairman of the United States International Development Finance Corporation.
strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resilience 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 OR 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. CARDOZo, 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, and 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 resilience 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 CHINESE 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 this Act, the President may impose the sanctions described in subsection (b) with respect to any Chinese person that the President determines:

(1) has engaged in, or significantly contributed 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;

(2) is responsible for or significantly contributes to, 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 reseach or drilling activity in those areas;

(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 property and interests in property of the person if such property and interests are in the United States, are or become within the jurisdiction of the United States, or are or become in 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 of 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.—(1) 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 (1) may—

(I) take immediate effect; 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 Homeland Security to exclude from the United States any alien that the President determines is a corporate officer or principal officer 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.

(A) The Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.);

(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.

(A) PROHIBITION 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 purchasing significant amounts of equity or debt instruments of the person.

(B) BAN ON TRANSACTION 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 purchasing significant amounts of equity or debt instruments of the person.

(6) BANKING TRANSACTIONS.—The President may prohibit any transactions as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution of the United States, or authorizes the President to prohibit transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person.

(7) BLOCKING OF 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.—


(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraphs (2) and (3) of section 202(b) of the United Nations Headquarters Agreement (22 U.S.C. 245 Note) shall apply to an exclusion described in subsection (b)(1) to the same extent as they would apply to an exclusion that is described under the act described in subsection (a) of such section 202.

(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, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that violates an 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) GOVERNMENT.—The term “government” means—

(A) the government of a country or political subdivision, agency, or instrumentality thereof;

(B) any other similar government.

(3) BRANCH.—The term “branch” means—

(A) an agency, department, or other entity of the United States Government;

(B) an equivalent entity of any foreign government that has been determined by the President to be a foreign terrorist organization.


(5) FOREIGN INSTITUTION.—The term “foreign institution” means—

(A) an institution located in a country or political subdivision other than the United States;

(B) any other similar institution.

(6) UNITED STATES PERSON.—The terms “United States person” mean—

(A) an individual who is a citizen or national of the United States; or

(B) an individual who was lawfully admitted for permanent residence to the United States and is a lawful permanent resident of the United States; or

(C) an entity organized or chartered under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.
SEC. 5221. 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, 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 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 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 or substantial position to recognize, after such date of enactment, the sovereignty of the People’s Republic of China over the territory or airspace disputed by one or more countries in the South China Sea or the territory or airspace of China in 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 determines it is necessary for the national security interests of the United States to do so.

(c) 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.

(d) 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.

(e) 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.

(f) 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 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 S. 1260, to establish a new Initiative 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.

At the appropriate place, insert the following:

SEC. 5222. TEMPORARY SELECT COMMITTEE ON INTELLIGENCE CONSIDERATION REPORT.

Not later than 3 years after such date of enactment, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives shall submit to the appropriate committees of Congress a report identifying each country that the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives shall identify as—

(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;

(E) a small business concern;

(F) a cluster initiative with the term "cluster initiative" means a geographic concentration, relative to the size of the region under consideration, of interconnected businesses, suppliers, and capital; and

(G) public purpose institution (such as universities, community colleges, venture development organizations, and workforce boards), and

(h) 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;

(i) 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

(j) the extent to which economic diversity across regions of the United States would be increased through the contract.

(2) AUTHORIZATION.—The Administrator may enter into a 1-year award not to exceed $1,000,000 with each Cluster Initiative.

(3) RENEWAL.—

(A) IN GENERAL.—The Administrator may renew an award entered into with a Cluster Initiative under paragraph (2) for an additional year not to exceed $750,000 per year; and

(B) REQUIREMENT.—A Cluster Initiative shall provide the demonstrating opportunity to receive any further awards under this subsection.

(4) 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 to 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.

(5) COMPETITIVE PROCESS.—The Administrator shall enter into new awards under this subsection for each year that appropriations are available.

(6) FEASIBILITY STUDY GRANTS.—

(A) IN GENERAL.—The Administrator may award grants for feasibility studies, planning, and operations to support the launch of new Cluster Initiatives.

(B) 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) a local or tribal government; or 
(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.

(b) AUTHORIZATION OF APPROPRIATIONS.—
There are authorized to be appropriated $5,000,000,000 for each fiscal year to carry out this subchapter.

SEC. 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. 1781. MR. LEE 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:

(b) REVIEW.—(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 the Thrift Savings Fund be invested in securities linked to the economy of the People’s Republic of China.

(b) REVIEW.—(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.

(b) REVIEW.—(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 subsection, will not increase fees imposed on participants of the Thrift Savings Plan.

(b) REVIEW.—(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) REVIEW.—(5) 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:

(b) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

SEC. 1781A. MR. SCHUMER 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:

(1) any activity described in subparagraph (i) of section 3305 of title 5, United States Code, as added by paragraph (1) of this subsection;

(2) reinvest any sums divested under subparagraph (B) in investments that do not violate any provision of law; and

(3) review whether any sums in the Thrift Savings Fund are invested in violation of subsection (i) of section 438 of that title, as added by paragraph (1) of this subsection;

(4) make a report to the Congress on the activities of the Thrift Savings Fund; and

SEC. 1782. 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:

(1) any activity described in subparagraph (A) or (B) that is conducted by a foreign person, means the spouse, parent, sibling, or adult child of the person.”.

(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

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(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.

(c) REVIEW.—(2) IMMEDIATE FAMILY MEMBER.—The term ‘immediate family member’ means the parent, spouse, sibling, or child of the person.”.
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).”.

Section 7102. Findings and purposes.

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. 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.

Subtitle B—Minority Business Development Agency

Sec. 7111. Definition.

Sec. 7112. Purpose.

Sec. 7113. Establishment.

Sec. 7114. Grants and cooperative agreements.

Sec. 7115. Minimizing disruptions to existing minority businesses.

Sec. 7116. Publicity.

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.

Sec. 7204. Study and report.

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 11285.


Sec. 7509. Authorization of appropriations.

Title VI—Authorization of Appropriations

This title may be cited as the “Minority Business Development Act of 2021.”


(a) Findings.—Congress finds the following:

(1) During times of economic downturn or recession, minority business enterprises and other small 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.

(b) Appropriations.—The aggregate appropriated amount under this Act for fiscal years 2022 through 2026 shall be $...

(c) Reports.—The Chairman of the Committee on Appropriations of the Senate and the Chairman of the Committee on Appropriations of the House of Representatives shall transmit a report to the President and to the Congress with respect to the implementation of this Act.

(d) Use of Funds.—The funds made available by this Act shall be used for the purposes specified in this Act and shall be subject to the provisions of the Federal Acquisition Streamlining Act of 1994 (41 U.S.C. 3306).

(e) Definitions.—The terms ‘minority business enterprise’ and ‘minority business business enterprise’ shall have the meanings prescribed by this Act.
The term “Assistant Secretary” means the Assistant Secretary of Commerce for Minority Business Development, who is appointed as described in section 5315 of title 5, United States Code.

(3) Community-based organization—[authority to create or remove] the meaning given the term in section 5311 of title 5, United States Code.

(4) Eligible entity—Except as otherwise expressly provided, the term “eligible entity” means—

(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.

(f) Federal agency.—The term “Federal agency” has the meaning given the term “agency” in section 551 of title 5, United States Code.

(g) 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 123(b) of the Small Business Act (15 U.S.C. 657a(b));
(B) an area that—
(i) has been designated as—
(I) a designated enterprise zone under section 6901 of the Internal Revenue Code of 1986; or
(II) a Promise Zone by the Secretary of Housing and Urban Development; or
(ii) has an area of economic income, as determined by the Bureau of the Census;

(C) a qualified opportunity zone, as that term is defined in section 14005-1 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.

(h) Indian tribe—The term “Indian tribe” means—

(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.

(i) 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).

(j) 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.

(k) 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.

(l) Minority Business Enterprise.—The term “Minority Business Enterprise” means a business enterprise that—

(i) is not less than 51 percent-owned by 1 or more socially and economically disadvantaged individuals; and

(ii) is operated cooperatively or in a business operation of which are controlled by 1 or more socially and economically disadvantaged individuals.

(m) 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) a determination by the Secretary of Commerce that the business enterprise is a minority business enterprise.

(n) Private sector entity.—The term “private sector entity” means—

(A) means an entity that is not a public sector entity; or

(B) does not include—

(i) the Federal Government;

(ii) any Federal agency; or

(iii) any Instrumentality of the Federal Government.

(o) 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.

(p) Secretary.—The term “Secretary” means the Secretary of Commerce.

(q) Socially and economically disadvantaged individual.—The term “socially and economically disadvantaged individual” means an individual who—

(i) is not more than 51 percent-owned by 1 or more socially and economically disadvantaged individuals; and

(ii) 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 characteristic of the individual that is unrelated to that identity.

(r) Presumption.—In carrying out this division, the Assistant Secretary shall presume that the public sector entity is a 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.

(s) Speciality Center.—The term “speciality 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.

(t) 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.—The Agency shall be headed by an Assistant Secretary for Minority Business Development, who shall—

(I) be appointed by the President, by and with the advice and consent of the Senate; and

(II) except as otherwise expressly provided, have responsibility for the administration of this division.

(c) Compensation.—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.

(d) Technical and Conforming Amendment.—Section 3513 of title 5, United States Code, is amended, in the item relating to Assistant Secretaries of Commerce, by striking “(11)” and inserting “(12)”.

(e) 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; and

(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.

(f) 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 the Director, who shall be appointed by the Assistant Secretary.

(g) 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 entities, including community-based organizations and national nonprofit organizations—

(A) resources relating to management;

(B) technological and technical assistance; and

(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) 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
(a) collect and classify data, including demographic, economic, financial, managerial, and technical data relating to minority business enterprises; 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.

The purpose of the MBDA Business Center Program shall be to create a national network of public-private partnerships that—
(a) provide minority business enterprises to—
(i) access capital, contracts, and grants; and
(ii) create and maintain jobs;
(b) provide counseling and mentoring to minority business enterprises; and
(c) facilitate the growth of minority business enterprises by promoting trade.

SEC. 7112. PURPOSE.

The purpose of the MBDA Business Center Program shall be to create a national network of public-private partnerships that—
(a) provide minority business enterprises with—
(i) management;
(ii) technology;
(iii) law;
(iv) financing, including accounting;
(v) marketing; and
(vi) workforce development; and
(b) informational programs designed to inform minority business enterprises about the availability of programs described in this section;
(c) meet with leaders and officials of public sector entities to determine 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
(d) facilitate the efforts of public sector entities and Federal agencies to advance the growth of minority business enterprises.

SEC. 7113. ESTABLISHMENT.

(a) IN GENERAL.—There is established in the Agency an MBDA Business Center Program.

(b) COVERAGE.—The Assistant Secretary shall—
(A) 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
(B) take such steps as the Assistant Secretary may determine to be necessary and desirable to—
(i) search for, collect, classify, coordinate, integrate, record, and catalog the data described in paragraph (A); and
(ii) 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.

Covers section 7114.

(a) GRANTS AND COOPERATIVE AGREEMENTS.

(1) establishment 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 (A); 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.

The purpose of the MBDA Business Center Program shall be to create a national network of public-private partnerships that—
(a) provide minority business enterprises with—
(i) management;
(ii) technology;
(iii) law;
(iv) financing, including accounting;
(v) marketing; and
(vi) workforce development; and
(b) informational programs designed to inform minority business enterprises about the availability of programs described in this section;
(c) meet with leaders and officials of public sector entities to determine 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
(d) facilitate the efforts of public sector entities and Federal agencies to advance the growth of minority business enterprises.

SEC. 7112. PURPOSE.

The purpose of the MBDA Business Center Program shall be to create a national network of public-private partnerships that—
(a) provide minority business enterprises with—
(i) management;
(ii) technology;
(iii) law;
(iv) financing, including accounting;
(v) marketing; and
(vi) workforce development; and
(b) informational programs designed to inform minority business enterprises about the availability of programs described in this section;
(c) meet with leaders and officials of public sector entities to determine 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
(d) facilitate the efforts of public sector entities and Federal agencies to advance the growth of minority business enterprises.

SEC. 7113. ESTABLISHMENT.

(a) IN GENERAL.—There is established in the Agency an MBDA Business Center Program.

(b) COVERAGE.—The Assistant Secretary shall—
(A) 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
(B) take such steps as the Assistant Secretary may determine to be necessary and desirable to—
(i) search for, collect, classify, coordinate, integrate, record, and catalog the data described in paragraph (A); and
(ii) 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.

Covers section 7114.

(a) GRANTS AND COOPERATIVE AGREEMENTS.

(1) establishment 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 (A); 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.

Covers section 7114.

(a) GRANTS AND COOPERATIVE AGREEMENTS.

(1) establishment 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 (A); 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.

Covers section 7114.

(a) GRANTS AND COOPERATIVE AGREEMENTS.

(1) establishment 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 (A); 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.

Covers section 7114.
(i) assisting minority business enterprises to—
(1) obtain—
(aa) large-scale contracts, grants, or procurements;
(bb) financing; or
(cc) legal assistance;
(II) access established supply chains; and
(III) 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 workforce of such enterprises, working 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.—
(i) 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 contends 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.
(c) 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 Office, and the Economic Development Administration of the Department of Commerce; and
(B) other institutions or entities that use Federal resources to—
(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 enterprises described in section 29 of the Small Business Act (15 U.S.C. 656); and
(iii) eligible entities, as that term is defined in section 241 of title 10, United States Code, that provide services under the program carried out under chapter 142 of that title; and
(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).
(h) MBDA INVOLVEMENT.—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. 7112. MINIMIZING DISRUPTIONS TO EXISTING MBDA BUSINESS CENTER PROGRAM.
The Assistant Secretary shall ensure that each Federal assistance award made under the Business Center 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 RESILIENCE 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, the Assistant Secretary 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, of the small businesses possessing State securities commissions, representatives of leading minority business enterprises, and professionals concerning with capital formation to participate in the planning of each forum conducted under subsection (a).
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—
(1) develop a program, such as 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; and
(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 to enable minority 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 development and implementation 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 that is led by a minority-serving entity.
(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) credit and capital to ensure 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;
(B) implement the curriculum developed under subparagraph (A) at the eligible institution;
(C) 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).
(4) Reports.—Each year, the Assistant Secretary shall report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Small Business 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 subsection; and
(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 ENTERPRISE PROGRAM
SEC. 7302. DEFINITIONS.
In this title:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means 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.
(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 on 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. 1067(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)(13)(A)(i) 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)) 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. 7303. 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—
(A) MINORITY-SERVING INSTITUTION; or
(B) a consortium of institutions of higher education that is led by a minority-serving institution.
(2) MBDA AGREEMENT.—
(A) IN GENERAL.—With respect to each MBDA Rural Business Center established by the Assistant Secretary, an 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 funds 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 (i), 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).
(3) 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 Rural 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 regulation, rule, or similar order); 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; and
(vii) securing financial capital; and
(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 government, private, and competitive 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 surveys, engineering, and math jobs within minority business enterprises;
(iv) the ability to provide innovative business development and training 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 description 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 Assistant Secretary, 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 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 support covered entities to help those covered entities continue the necessary work of supporting minority business enterprises.
(c) ELIGIBILITY.—Not later than 180 days after the date of enactment of this Act, the Assistant Secretary shall establish with-
in 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) REQUIREMENTS.—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, in granting an application submitted by a covered entity that is located in a federally recognized area of economic distress. (f) USE OF FUNDS.—The Assistant Secretary shall make grants under this section to the extent funds are available and to the extent that the Assistant Secretary determines to be necessary or appropriate to carry out this section.
(1) to advance the goals of an MBDA Rural Business Center, as of the date of enactment of this Act, the Assistant Secretary shall submit to Congress a report that contains—
(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 areas.
(g) 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).
(h) UPDATE 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 demographic 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.

SEC. 7501. ADMINISTRATIVE POWERS.
(a) IN GENERAL.—In carrying out this section, 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 or services 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 Office of Management and Budget and the 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, within the limits provided 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—

TITLES V—ADMINISTRATIVE AND OTHER PROVISIONS 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 or services 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 Office of Management and Budget and the 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, within the limits provided 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 require, 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 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 any 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 Executive Order 11625 (36 Fed. Reg. 19967; relating to prescribing additional arrangements for developing and coordinating a national program for minority business enterprise).


Section 7109 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 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 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;
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 RELATIONSHIP 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) the commitments made by the Government of the People’s Republic of China under the Agreement, ongoing market access barriers, uneven enforcement, measures requiring 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 1625 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 failed in the past to make progress since 1989 as a trading partner of the United States that “fails to provide adequate and effective IP protection and enforcement for U.S. investors, consumers, 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 multinational 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) 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 Act (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) Involvement of Congress.—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—


(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:

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. 1710(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 225), 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. 2. 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 paragraph (a), including any recommendations, to Congress.

(2) REQUIRED CONTENTS.—The report required under paragraph (1) shall include recommendations for which Federal agencies 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. 3. 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 Univer-

(3) Historically Black Colleges and Universities are the universities in the United States, they graduate 25 percent of African-American students with baccalaureate degrees in science and engineering, and mathematics fields.

(4) Historically Black Colleges and Universities are the universities in the United States, they graduate 25 percent of African-American students with baccalaureate degrees in science and engineering, and mathematics fields.

(5) A team of computer scientists at Morgan State University are conducting research to automate detection of concepts in biomedical images to reduce the burden of diagnosing diseases, including cancer, using computer vision algorithms for 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 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 $400,000,000 (0.9 percent) in Federal research and development funding.

(8) This number is a marked decrease from fiscal year 2018, when Historically Black Colleges and Universities received $450,000,000 in Federal funding to institutions of higher education for research and development.

(b) PROGRAM COMPONENTS.—

(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) INSTITUTIONAL AWARD LIMITATIONS.—The term “high research activity status institution” 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 under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) PROGRAM FUNDING.—The term “program funding” means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(6) VERY HIGH RESEARCH ACTIVITY STATUS HISTORICALLY BLACK COLLEGES OR UNIVERSITIES PROGRAM.—

(a) PURPOSES.—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—

(1) faculty professional development;

(2) stipends for graduate and undergraduate students and post-doctoral scholars;

(3) laboratory equipment and instrumentation; and

(4) other activities necessary to build research capacity.

(c) TRANSITION ELIGIBILITY.—The Director may consider creating pathways for new Historically Black Colleges or Universities to enter into the program under this section as

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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, to maintain partnerships for 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. 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 $1,190,000,000 shall be for STEM education and related activities, including workforce activities under section 2202; and

(B) $3,800,000,000 shall be for test beds under section 2108; and

(c) Fiscal Year 2024.—

(1) Foundation.—There is authorized to be appropriated to the Foundation $18,200,000,000 for fiscal year 2024.

(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 $1,190,000,000 shall be for STEM education and related activities, including workforce activities under section 2202; and

(B) $3,600,000,000 shall be for test beds under section 2108; and

(d) Fiscal Year 2025.—

(1) Foundation.—There is authorized to be appropriated to the Foundation $22,562,520,000 for fiscal year 2025.

(2) Specific NSF Allocations.—Of the amount authorized under paragraph (1)—

(A) $13,362,520,000 shall be made available to carry out the activities of the Foundation outside of the Directorate, of which $1,252,000,000 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; and

(ii) $324,000,000 shall be for fellowships, and other activities under section 2106; and

(iii) $2,540,000,000 shall be for STEM education and related activities, including workforce activities under section 2107; and

(iv) $350,000,000 shall be for test beds under section 2108; and

(v) an amount equal to 10 percent of the total funds made available to the Foundation and offices of the Foundation outside of the Directorate as described under section 2102(c)(7).
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 and for 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 AND DEVELOPMENT AT THE FOUNDATION.—

(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, 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 techniques and technologies that can be used to improve the use and recycling of critical minerals, including research that prioritizes end-to-end integration of mining and recycling techniques and the end-use target for critical minerals; and

(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) conducting research and development on alternative technologies, such as in battery or energy storage technologies that minimize or do not incorporate critical minerals; (C) advancing research and development of critical minerals recycling and reprocessing 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 efficient sampling protocols; (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 SUB-COMMITTEE.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Critical Minerals Subcommittee of the National Science and Technology Council 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 Tech 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 extraction, 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; and (ii) efficient use and reuse of critical minerals, including recycling technologies for critical minerals and reclamation of critical minerals from components such as spent batteries; (iii) research, development, and deployment strategies 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; and

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including new active and enhanced utilization 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 the 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 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) to develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance— (i) scientific and technical capabilities across all mineral supply chains, including a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, materials efficiency, use, recycling, and alternative technologies; and (ii) cross-cutting mining science, data science techniques, materials science, materials manufacturing, and safety research and development; and

(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 $1,000,000, potential.

(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) or (2), 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 related 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 substitute for critical minerals that satisfy 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 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, and its 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 for the 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 products or raw materials to a foreign entity of concern (as defined in section 2307(a)).

(7) AUTHORIZATION OF APPROPRIATIONS.—There are 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 ENVIRONMENTAL POLICIES AND PRACTICES.

(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 transactions, which shall—

(1) identify and rank the countries that host—

(A) the largest state and private industry generators of virtual currency; and
(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 policies that protect their domestic virtual currency industry;

(3) identify, to the greatest extent practicable, the types and dollar value of virtual currency transactions, as well as the amount of energy consumed doing so for each of fiscal years 2016 through 2021 within the United States and globally, as well as with respect to 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, privacy, 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).
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)(v) of the Defense Production Act of 1950 (50 U.S.C. 4566(k)(v)) 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 2658 of the Senate Journal, which may include facilitating timely access and appropriate notice to relevant manufacturers, distributors, or other appropriate entities in order to mitigate any commercial disruption from such sale; and

"(iv) 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 regional 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); and

"(ii) shall—

"(aa) produce or procure such equipment for the stockpile under paragraph (1); and

"(bb) maintain constant supply, possession, and re-stocking capability for 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

"(dd) ensure that such equipment is available to the manufacturer for such equipment, as appropriate.

"(D) COMPENSATION TO HHS.—In the case of a transfer of equipment to an entity described in subparagraph (A), the proceeds from the sale shall be transferred to the Secretary and be made available, with further appropriation, to the Secretary for purposes of procuring such equipment for the stockpile under paragraph (1)."

SA 1802. Mr. RUBIO (for himself, Mr. BURK, Mr. RISCH, Mr. BLUNT, Mr. COTTON, Mr. CORNYN, and Mr. SASSER) 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 2658 of the Senate Journal, which may include facilitating timely access and appropriate notice to relevant manufacturers, distributors, or other appropriate entities in order to mitigate any commercial disruption from such sale; and

"(iv) 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 regional 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); and

"(ii) shall—

"(aa) produce or procure such equipment for the stockpile under paragraph (1); and

"(bb) maintain constant supply, possession, and re-stocking capability for 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

"(dd) ensure that such equipment is available to the manufacturer for such equipment, as appropriate.

"(D) COMPENSATION TO HHS.—In the case of a transfer of equipment to an entity described in subparagraph (A), the proceeds from the sale shall be transferred to the Secretary and be made available, with further appropriation, to the Secretary 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 and maintain projects by the appropriate official or officials of the Government of the United States; and of the Rio Grande (Rio Bravo) from the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, Fort Quitman, Texas, to the Gulf of Mexico, and to the Salton Sea, between the United States and Mexico.

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. 3. 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 rises in Mexico, flows 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:

(I) 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

(ii) 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—

(I) the joint study and design of stormwater control and water quality projects; and

(ii) 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 agreements 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 the associated signed agreement 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.

SEC. 4. 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.

(b) 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 Pacific Ocean.

(c) TIJUANA AND NEW RIVER PROJECTS WITHIN THE UNITED STATES.—The Secretary, acting through the Commissioner, shall—

(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 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.

(d) PROJECT SELECTION.—

(I) IN GENERAL.—In selecting projects for which to provide assistance under the program, the Administrator shall select projects in accordance with—

(ii) subparagraph (B); and

(iii) 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) 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.

(e) SAVINGS PROVISION.—Nothing in this section limits the authority of the International Boundary and Water Commission any other provision of law.

(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.

(f) 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 Pacific Ocean.

(g) PROGRAM.—The term "program" means the program established under subsection (b).

(h) SECRETARY.—The term "Secretary" means the Secretary of State.

(2) 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 establish 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) PROJECT SELECTION.—

(I) IN GENERAL.—In selecting projects for which to provide assistance under the program, the Administrator shall select projects in accordance with—

(A) in subparagraph (B), and

(B) in 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) 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.

(3) PROGRAM.—The Administrator shall establish such terms and conditions on assistance provided under the program as the Administrator determines appropriate.

(4) FEDERAL SHARE.—The Administrator may establish a Federal share requirement for any project carried out using any assistance
proven 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) 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 or 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 enter into 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 Río Grande (Río 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) SAVERS.—The project, located wholly or partially within Mexico shall be eligible for funding under the project 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 shall be construed to preclude the Comptroller General of the United States from making available to the Government of Mexico, and the people of the Tijuana Valley,满格 Presidents, University of California, San Diego, the University of California, Los Angeles, the University of Southern California, and California State University, Long Beach, including the California Institute of Technology.

SEC. 3. INTERNATIONAL ETHICAL STANDARDS IN GENOME EDITING RESEARCH AND DEVELOPMENT.

(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 develop, in consultation with the relevant United States government agencies, an international agreement on voluntary, nonbinding ethical guidelines for the responsible development of human germline gene editing.

(b) ADMINISTRATION.—The President shall—

(A) work to develop an international agreement under section 28 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.), as amended by section 220 of this Act; and

(B) make available to the applicable international organizations funds described in section 2102(b); and

(c) SUPPORT OF REGIONAL TECHNOLOGY HUBS.—Each university technology center established under this subsection may use support provided under this subsection to—

(A) carry out research to advance innovation in the key technology focus areas;

(B) for technology development activities such as rapid 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 infrastucture; and

(D) for the costs associated with technology transfer and commercialization, including patenting and licensing;

(E) for operations and staff; or

(F) for technology development pilot programs, as described in paragraph (8).

(4) SELECTION PROCESS.—In selecting recipients under this subsection, the Director shall consider the scientific and technical merit of the proposal.

(A) maximizing regional and geographic diversity of the university technology centers, including by considering institutions of higher education as defined in section 861(b) of the Higher Education Act of 1965 (20 U.S.C. 1116(a)); and

(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); and

(E) the amount of funds from industry organizations described in paragraph (5)(A)(ii).

The applicant would use towards establishing the university technology center;

(P) the plan and capability of the applicant to meet the measures to ensure the appropriate 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

(Q) 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 sources.

(B) Support of Regional Technology Hubs.—To be eligible to receive an award for the establishment and operation of a university technology center, a consortium shall be composed of not more than 25 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 by considering rural-serving institutions;

(ii) the governance and management structure of the university technology center;

(iii) support of regional technology hubs; and

(iv) the plan for ownership and use of any intellectual property developed by the center.

(C) USE OF FUNDS.—University technology centers established under this subsection may use support provided under this subsection to—

(A) carry out research to advance innovation in the key technology focus areas;

(B) for technology development activities such as rapid 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 infrastucture; and

(D) for the costs associated with technology transfer and commercialization, including patenting and licensing;

(E) for operations and staff; or

(F) for technology development pilot programs, as described in paragraph (8).

(6) COMMUNITY BENEFIT.—In selecting recipients under this subsection, the Director shall consider—

(A) the extent to which the proposal includes strategies to ensure community benefit; and

(B) the plan and capability of the applicant to meet the measures to ensure the appropriate 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

(C) the plan and capability of the applicant to support proof-of-concept development and prototyping as well as technology transfer and commercialization activities.

(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) is part of the Alliance established under
section 28(b)(1)(A) of the Stevenson-Wydler
Technology Innovation Act of 1980 (16 U.S.C. 13701 et seq.), or
(ii) shall perform the following activities:
(A) Training and technical assistance for
graduate students and postdoctoral research-
ers on—
(1) advanced nuclear reac-
tor projects;
(2) project assessment and selection.
(B) a consortium that—
(i) an individual institution of higher
education or by a nonprofit
entity, designed to support technology
development;
(ii) shall include 1 or more institutions
that—
(I) a historically black college or univer-
sity;
(II) a Tribal College or University;
(III) a minority-serving institution (or an
institution of higher education with an es-
tablished 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 Competi-
tive Research under section 113 of the Na-
tional 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—
(1) additional entities described in subpara-
graph (A) or (B);
(2) industry entities, including startups,
small businesses, and public private partner-
ships;
(3) 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 amend-
ed by section 2401 of this Act;
(IV) National Laboratories;
(V) Federal laboratories, as defined in sec-
tion 4 of the Stevenson-Wydler Technology
Innovation Act of 1980 (15 U.S.C. 13703);
(VI) Federal research facilities;
(VII) labor organizations;
(VIII) labor organizations;
(IX) other entities if determined by the Di-
rector to be vital to the success of the pro-
gram; and
(X) binational research and development
funds and foundations, excluding foreign en-
tities of concern, as defined in section 2307.
(b) TRAINER DEVELOPMENT PILOT PRO-
GRAM.—(1) ESTABLISHMENT OF PILOT PROGRAM.—At
not more than 3 university technology cen-
ters or 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 insti-
tution described in subparagraph
(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 research-
ers on—
(1) assessing and evaluating available
grant and fellowship opportunities;
(2) preparing and submitting grants and
fellowship applications that leverage their
research and experience; and
(3) administering grant funding, and
leveraging grants and fellowship opportunities into
longer term employment opportunities.
(ii) professional development networks that include Federal, State, local,
and Tribal government agencies and the private
sector, as well as members of the re-
gion, are established under
section 28(b)(1)(A)(i) of the Stevenson-Wydler
Technology Innovation Act of 1980 (Public
Law 96–89; 15 U.S.C. 13701 et seq.),
(iii) shall be 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
section 150001 of the Advanced
Research and Development Program of the
Department.
(b) RETROACTIVE VESTING.—The vesting
of fee title or any other property interest as
provided under paragraph (a) shall be retro-
active to the date on which the applicable
project first received Federal funding as described
in any of subparagraphs (A) through
(D) of paragraph (a).
(b) CONSIDERATIONS IN COOPERATIVE RE-
SEARCH AND DEVELOPMENT AGREEMENTS.—IN
GENERAL.—Section 2401 of the Stevenson-Wydler Technology Innovation
Act of 1980 (15 U.S.C. 13701(c)(7)(B)) is amend-
ed—
(A) by inserting "(i)" after "(B)"; and
(B) in clause (i), as so designated, by strik-
ing "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 direc-
tor 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 dissemi-
nation, including nuclear technology, could reasonably require a period of
protection to reach commercializa-
tion.".
(2) APPLICABILITY.—(1) IN GENERAL.—In this subsection, the term
"cooperative research and development
agreement" has the meaning given the term in
section 12(d) of the Stevenson-Wydler
1370a(d)).
(2) RETROACTIVE EFFECT.—Clause (ii) of section
12(c)(7)(B) of the Stevenson-Wydler
1370a(c)(7)(B)), as added by subsection (a) of
this section, shall apply with respect to any
cooperative research and development agree-
ment 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 En-
ergy Organization Act (42 U.S.C. 7296(g)(5)) is amended—
(i) by striking "(5) Protection from disclosure."
and inserting the following:
"(5) Protection from disclosure.—
(A) IN GENERAL.—The Secretary; and
(B) in subparagraph (a) as so designated)
by striking "(B)"; and
(B) by striking "agency," and inserting the following: "agency—
(i) for up to 5 years after the date on
which the information is develop-
ed; and
(ii) for up to 30 years after the date on
which the information is develop-
ed, if the Secretary determines that the nature of the
information under the technology, including
nuclear technology, could reasonably require an
extended period of protection to reach commercializa-
tion.
"(B) EXTENSION DURING TERM.—The Secre-
tary 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.
SCHEUMER to the bill S. 1260, to establish a
New Direction for Energy Research 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 energy technology 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 961(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) SECRETARY.—The term ‘‘EPSCoR university’’ means an institution of higher education that participates in the Established Program to Stimulate Competitive Research, as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(3) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ‘‘historically Black college or university’’ has the meaning given the term ‘‘institution of higher education, including—

(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 consortia 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.

(c) FUNDING.—Notwithstanding any other provision of this Act, amounts appropriated pursuant to section 2117a(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. SMITH).—Sponsor of 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. 8. EXTENSION OF TEMPORARY ORDER FOR FENTANYL-RELATED STANDARDS.

(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 “December 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 1810 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, DEVELOPMENT AND Demonstration.

(a) CRITICAL MINERALS MINING, RECYCLING, AND ALTERNATIVE TECHNOLOGIES RESEARCH, DEVELOPMENT AND Demonstration 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, and consortia of such institutions or organizations, to engage in research activities to improve separation, environmental impact, and costs of those activities; and

(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 technologies, to improve end-to-end integration of critical minerals mining and technological applications;

(B) advancing 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 critical minerals mining and technological applications;

(C) developing critical minerals processing research activities to separate, recycle, and upgrade existing nuclear science and engineering capabilities of universities in the United States to meet the research requirements of advanced energy technology systems; and

(D) conducting research and development on alternative technologies, such as in battery or energy storage technologies that minimize or do not incorporate critical minerals.

(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; and

(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; and

(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 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 metal-bearing waste, development of substitutes, 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 and development 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) issue warrants, options, or other financial instruments issued by recipient agency or department, provide appropriate limitation for purposes of privacy and security;

(E) evaluate and provide recommendations to incentivize the development and use of advanced science and technology in the private industry and academic sectors for accessing and developing critical minerals through investment and trade with allies and partners of the United States and provide recommendations to the Secretary of Commerce and the United States Trade Representative;

(F) assess the need for and make recommendations to address the challenges the United States critical minerals supply chain 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 minerals and related industries, including integrating critical minerals into research and development needs and coordinates on-going activities for source diversification, core efficiency, 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 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 term ‘‘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 processes, 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 or application by either significantly minimizing or completely eliminating the need for critical minerals, or both.

(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, tailings, acid mine drainage, and metal recovery from mining and metal recovery processes.

SA 1812. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 2260, 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 the’’ and insert the following: ‘‘United States;’’

(2) ensure the retention of jobs at manufacturing facilities that have been active in the mining 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. 2260, 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 recipient of financial assistance made available under section 1002 or 1003, which, in the sole determination of the head of that 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. 2260, 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:

"ecology of the United States.")

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

"(6) TAXPAYER PROTECTIONS.—The Secretary may receive warrants, options, deferred stock, debt securities, notes, or other financial instruments issued by covered entities that are a Special 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. 2. IMPROVEMENTS RELATING TO NATIONAL NETWORK FOR MICROELECTRONICS RESEARCH AND DEVELOPMENT.

Section 996(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-232) 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 paragraph:

"(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); and

(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);

"(ii) 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 reflect the geographic diversity of the United States.

(C) The Secretary shall ensure that each eligible entity selected under subparagraph (A) loads 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 subparagraph (A), the eligible entity shall—

(1) provide 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, the United States shall make available to eligible entities selected under subsection (a) an intellectual property rights regime that protects intellectual property rights related to COVID-19 vaccines provided under this section.

(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 waiver to 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 publica-

on of 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

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.

(a) GENERAL.—The Secretary of State shall, as appropriate, consult with the Secretary of Health and Human Services in carrying out this section.

(b) REQUIREMENTS.—As a condition of receipt of vaccines provided for under this section, the United States shall make available to eligible entities selected under subsection (a) an intellectual property rights regime that protects intellectual property rights related to COVID-19 vaccines provided under this section.

(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 waiver to 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.
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. 6092. 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:

‘‘(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. ENSST) 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)组成.—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) Vacancies.—Any vacancy in the select committee shall be filled in the same manner as the original appointment.

(c) Proceedings.—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.

(d) Vacancies.—Any vacancy in the select committee shall be filled in the same manner as the original appointment.

(e) Investigation.—The select committee shall conduct a full and complete investigation and study regarding—

(A) the occurrence of the source of the COVID-19 virus and the route of human-to-human transmission beginning in or around Wuhan, China;

(B) scientific research and gain-of-function zoonotic 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, the Department of Health and Human Services regarding activities and research at the WIV;

(F) response from officials of the Department of State, the 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 in 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 direction—

(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 books, documents, and other evidence;

(G) to take depositions and other testimony;

(H) to procure the services of individual consultants, or organizations thereof, in accordance with section 202(l) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(l)); 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) Oath.—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 by him 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 an international technology hub 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. 219M. 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 219M.

SEC. 219M. 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.


(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 the employment 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 subtitle B of title II of division E, add the following:

SEC. 5214. EXTENSION OF PROHIBITION ON COMMERCE WITH 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. 1171), as amended by section 702 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 222), 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 Extradition Act of 1992 (22 U.S.C. 7575) 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 HBCUS/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 in 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 are in the best interest of the United States research enterprise.

(4) 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 and universities, Tribal Colleges or Universities, Hispanic-serving institutions, or other minority-serving institutions, including—

(B) not less than 1 institution of higher education designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions in postgraduate programs leading to master or doctoral degrees in STEM disciplines at partner institutions of higher education with the highest levels of research activity; and

(5) competitive grant awards to expand pathways to the professoriate for underrepresented students.

SEC. 6402. DEFINITIONS.

In this title:

“ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.”—The term “Asian American and Native American Pacific Islander-serving institution” has the meaning given to the term in section 371(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059g(c)(2) and 1067q(c)(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.

“FEDERAL SCIENCE AGENCY.”—The term “Federal science agency” means any Federal agency involved in United States research and development and the Environmental Protection Agency.
(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 designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, 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 305 of the Higher Education Act of 1965 (20 U.S.C. 1059e(b)); or (B) an institution of higher education that has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(7) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001).

(8) INSTITUTION OF HIGHER EDUCATION—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, predominately Black institution, Hispanic-serving institution, Asian American and Native Pacific Islander-Serving Institution, Tribal College or University, or other minority-serving institutions, in order to carry out the activities supported under the grant.

(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 318(c)(9) of such Act (20 U.S.C. 1067a(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 318(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) GRANTS.—From amounts made available under section 6406, the head of each Federal science agency shall make 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 (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) 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) 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 designated as historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, in order to carry out the proposed grant activities.

(3) 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 project of 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.

(4) 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 to conduct a longitudinal study and report—

(1) the number of undergraduate students participating in the Program who pursue STEM graduate studies and as a result of participating in the Program, including the percentage of those students 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 described in subsection (a).

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, after consultation with the Secretary of Education on any relevant issue of concern, including at a minimum on the topics in order to develop criteria for 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.

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 on Foreign Affairs, the Committee on Appropriations, and the Committee on Energy and Natural Resources a report on the framework for the distribution around the world of COVID–19 vaccines produced in the United States.

(b) COVERAGE.—The report submitted under subsection (a) shall include—

(1) the number of vaccines distributed to which was ordered to lie on the table;

(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 a review of diplomatic efforts 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. 1290, 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;

(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 in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(B) an institution of higher education based outside of the United States, as determined by the Secretary of State;

(2) has a strong academic performance; and

(3) is able to receive and hold an appropriate security clearance; and

(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 of State shall establish;
(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 to maintain eligibility 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. 1097(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 that covers the round trip 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. 1097(f))).

(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 outside of the United States.

(f) WORKING WITH INSTITUTIONS OF HIGHER EDUCATION.—The Secretary of State is authorized to establish partnerships or agreements with institutions of higher education to structure internships to ensure such internships satisfy criteria for academic programs in which participation in such internships are enrolled.

(g) TRANSITION PERIOD.—

(1) IN GENERAL.—Not later than 2 years after 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, 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.

(h) WAIVER.—

(A) 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.

(i) 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 were offered a position, and participated; and

(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).

(j) 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 POLICIES.—Any data collected under this section shall be subject to the relevant privacy protection statutes and regulations applicable to Federal employees.

(k) 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; 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 supplies 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. The DRC hosts more than 51 percent of the global cobalt reserves and produces nearly 70 percent of the total cobalt feedstock globally.

(b) The Department of State, pursuant to section 1101 of the Foreign Affairs Authorization for Fiscal Years 2019 and 2020, the description of which is included in this section, the Department of State and the Department of Commerce 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 49th 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 result of decades-long investment and development in the DRC, with several resource-for-infra-structure 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 cobalt. 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 security, and industrial production is inadequate to ensure that United States entities have a secure supply chain for certain strategic metals and minerals;

(2) The 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; and

(3) To counter Chinese dominance in the market for those minerals, the United States Government should—

(A) support more responsible trade practices and United States delegations to mineral-producing countries and assist smaller and less-developed countries to improve the transparency of their minerals trading, including by implementing and implementing the Extractive Industries Transparency Initiative, beneficiary ownership transparency, and the formalization of artisanal mining sectors; and

(B) the Department of Commerce should work with the Department of the Treasury and the Department of State to leverage relevant investigative and enforcement tools to investigate and disrupt 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 establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

(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 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 production and deployment of sustainable aviation fuels.

(4) A description of the economic impacts resulting from the funding to and operation of the projects.

(e) DEFINITIONS.—In this section:

(1) CONVENTIONAL JET FUEL.—The term “conventional jet fuel” means liquid hydrocarbon fuel used for aviation that is derived from refined petroleum.

(2) QUALIFIED FEEDSTOCK.—The term “qualified feedstock” means sources of hydrocarbon fuels and biofuels that are produced from feedstocks and from the conversion of other land and are in compliance with lifecycle greenhouse gas standards and regulations under subpart M of part 80 of title 40, Code of Federal Regulations; and

(3) QUALIFIED FEEDSTOCK.—The term “qualified feedstock” means sources of hydrocarbon fuels and biofuels that are produced from feedstocks and from the conversion of other land and are in compliance with lifecycle greenhouse gas standards and regulations under subpart M of part 80 of title 40, Code of Federal Regulations.

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:

SEC. 2. SUSTAINABLE AVIATION FUEL PROGRAM 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 for a grant or cost-sharing 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 are 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 Commerce of the House of Representatives a report documenting 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 production and deployment of sustainable aviation fuels.

(4) A description of the economic impacts resulting from the funding to and operation of the projects.

(e) DEFINITIONS.—In this section:

(1) CONVENTIONAL JET FUEL.—The term “conventional jet fuel” means liquid hydrocarbon fuel used for aviation that is derived from refined petroleum.

(2) QUALIFIED FEEDSTOCK.—The term “qualified feedstock” means sources of hydrocarbon fuels and biofuels that are produced from feedstocks and from the conversion of other land and are in compliance with lifecycle greenhouse gas standards and regulations under subpart M of part 80 of title 40, Code of Federal Regulations; and

(3) QUALIFIED FEEDSTOCK.—The term “qualified feedstock” means sources of hydrocarbon fuels and biofuels that are produced from feedstocks and from the conversion of other land and are in compliance with lifecycle greenhouse gas standards and regulations under subpart M of part 80 of title 40, Code of Federal Regulations.

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 2306(c)(2) insert “based on their technical merit and market relevance and pursuant to policies adopted through imparable processes that treat all members and technical contributions fairly and impartially,” after “for digital economy technologies”.

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 infrastructure for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2319. 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 2002 (20 U.S.C. 3192); and

"(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 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. 1003); and

"(B) a public 2-year State institution of higher education.

"(3) CYBERSECURITY WORKFORCE ROLES.—The term 'cybersecurity workforce roles' means the workforce 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 education agency, Tribally controlled institution, 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. 701 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 intermediary and 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. 3129); and

"(M) a consortium of entities described in any of subparagraphs (A) through (L).

"(5) ELIGIBLE ENTITY.—

"(A) IN GENERAL.—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 an organization operating an apprenticeship program that—

"(A) is certified by the Director as contributing to the national apprenticeship system, and financial advising;

"(B) is focused on competencies and related learning necessary, as determined by 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 or cooperative agreement 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 eligibility of the 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 the workplace learning advisors and on-the-job training to the greatest extent possible; and

(6) demonstrating successful outcomes connecting apprentices 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 to enter into 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 enter into a contract, cooperative agreement, or grant 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 (e); or

(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;

(4) plans to use the grant to carry out the apprenticeship program with an entity that receives Student Employment or is operated by a State agency;

(h) TECHNICAL ASSISTANCE.—The Director shall provide technical assistance to eligible entities to enter into existing training and education programs of the Agency and other relevant programs at appropriate Federal agencies.

(i) EXCEPED SERVICE.—Participants in the program may be entered into cybersecurity-specific excepted service positions as determined by the Director and authorized by section 2306.

(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) the attributes and characteristics of the apprenticeship program under this section;

(i) any activity carried out by the Agency under this section;

(ii) any activity that exists into a contract or agreement with or receives a grant from the Agency under this section; and

(3) any activity carried out by the program, including the rate of continued employment at the Agency for participants after completion of the apprenticeship program.

(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.

(m) 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 2219, the following:

"Sec. 2219. Apprenticeship program.

SEC. 2219. CYBERSECURITY WORKFORCE 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) AGREEMENT 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 duplicative efforts.

(f) RESOURCES.—

(1) IN GENERAL.—In any case in which the pilot program required by subsection (a) uses the services of personnel at Armed Forces 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 for personnel, or—

(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, endorsement, or professional or industry certification that—

(i) has value locally and nationally in labor markets, educational systems, or other contexts; and

(ii) is defined publicly in such a way that allows educators, employers, and other individuals and entities to understand and verify the specific learning outcomes represented by the credential; and

(iii) enables a holder of the credential to move vertically and horizontally within and between 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, cybersecurity, and to establish a critical supply chain resilience 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 ITEMS.

Section 305 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 434) 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, commodities, and supplies);";

(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 personal 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 NATIONAL SUPPLY CHAIN INTELLIGENCE.

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;

(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 viable agreements or 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. 3219L. 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) INVESTIGATIONS.—The Director of National Intelligence, in coordination with the appropriate committees of Congress, may submit to the appropriate congressional committees a classified report, which may include an unclassified summary, to establish a national supply chain intelligence center, to consolidate and coordinate Federal supply chain intelligence efforts and coordinate with industry stakeholders, the private sector, and other elements of the intelligence community; and:

(c) ELEMENTS OF THE REPORT.—The report submitted under subsection (b) shall—

(1) identify existing supply chain intelligence efforts and capabilities in the private sector, 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;

(C) the private sector in its role of securing critical supply chains;

(4) identify gaps in intelligence support to the Department of Commerce and recommend options to provide any necessary and appropriate support, such as by adding appropriate personnel to 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. 3000) 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 coordination 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 the supply chain intelligence center 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;

(8) assess continuing gaps and limitations in the ability of the Director of National Intelligence to provide for greater centralization of Federal Government supply chain intelligence efforts, including whether to consider the Director of National Intelligence manager positions for national supply chain security;

(9) assess continuing limitations or hurdles in the membership of the national intelligence management community 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 of public 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 appropriate committees of Congress, 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 for 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 title III 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; and

(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, in consultation with the appropriate committees of Congress, shall submit to 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 technical mechanisms the Office of Global Affairs has employed that would address future pandemics or other global health emergencies; and

(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 analyses described in paragraphs (2) and (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;

(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 outbreaks.

(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:

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. 1059d(b)));

(ii) a Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c));

(iii) 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(d)));

(iv) a Predominantly Black Institution (as defined in section 317(c) of the Higher Education Act of 1965 (20 U.S.C. 1057q(c));

(v) an American Indian and Alaska Native-serving institution (as defined in section 317(e) of the Higher Education Act of 1965 (20 U.S.C. 1057q(c))); or

(vi) a Native American-serving nontribal institution (as defined in section 317(e) of the Higher Education Act of 1965 (20 U.S.C. 1057q(c)));

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 end of title II 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 of covered nations, including any changes made to those export restrictions during the one-year period preceding the date of submission of the report.

(b) DESCRIPTION OF EXPORT 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 violation of an action taken by the United States Government.

(c) FORM.—Each report submitted under subsection (a) shall be submitted in an unclassified form, except that it 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 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 (30 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. 1059d(b)));

(ii) a Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c));

(iii) 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(d)));

(iv) a Predominantly Black Institution (as defined in section 317(c) of the Higher Education Act of 1965 (20 U.S.C. 1057q(c));

(v) an American Indian and Alaska Native-serving institution (as defined in section 317(e) of the Higher Education Act of 1965 (20 U.S.C. 1057q(c))); or

(vi) a Native American-serving nontribal institution (as defined in section 317(e) of the Higher Education Act of 1965 (20 U.S.C. 1057q(c)));

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 subsection 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—
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:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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:

SEC. 3142. COMPREHENSIVE ANALYSIS OF CHINESE PROPAGANDA EFFORTS.

(a) IN GENERAL.—Not later than 180 days after the date of 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) THE REPORT.—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 efforts, including any 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:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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 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:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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.

At the end of subtitle D of title I, add the following:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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.

At the end of subtitle D of title I, add the following:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

At the appropriate place, insert the following:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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.

At the end of subtitle D of title I, add the following:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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.

At the appropriate place, insert the following:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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.

At the appropriate place, insert the following:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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.

At the appropriate place, insert the following:

SEC. 25. INFORMATION ON MISLEADING AND ENDANGERING READY-TO-EAT IMPORTED FISH PRODUCTS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Food and Drug Administration 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.
(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 conduct a study, and provide recommendations for modification, consolidation, harmonization, and repeal of the Federal regulations that—

(1) unduly 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 manufacturers;

(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) 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, and Congress. 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).

(i) 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 (j) and (k), respectively.

(j) Reports.—(1) In General.—The Task Force shall submit quarterly and annual reports to Congress on the findings of the Task Force under this subsection.

(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 Federal regulations described in subparagraph (A) of this paragraph.

(k) Special Message to Congress.—(1) Definition.—In this subsection, the term "covered regulation" means a joint resolution—

(A) the matter after the resolving clause of which contains—

(i) a list of some or all of the regulations that were recommended for repeal in a special message submitted to Congress under paragraph (j); or

(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—

(1) delivered to the Clerk of the House of Representatives and the Secretary of the Senate;

(2) 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. The Task Force shall submit a special message to Congress that—

(i) the committee shall be discharged from further consideration of the resolution; and

(ii) the resolution shall be placed on the appropriate calendar.

(B) Floor Consideration.—(1) General.—In the Senate, a covered resolution shall be subject to 18 hours of debate divided equally between those favoring and those opposing the covered resolution.

(i) Except that 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 (A) a regulation recommended for repeal by the Task Force.

(ii) 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.

(2) 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) shall apply, 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.

(2) Rules of the House of Representatives and the Senate.—(A) The House of Representatives may, by resolution, extend the time in which a covered resolution shall be considered, respectively, and as such are deemed a part of the rules of the House, respectively, but applicable only with respect to the procedures to be followed in the House in the case of covered resolutions, and supersedes 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 the House) at any time and in any 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 Secretary 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 RECOMMENDED.—The plan required by paragraph (a) 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) DEFINITION.—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 communications and persons.

(b) INVESTIGATION.—The plan required by paragraph (a) shall be submitted in classified form.

(c) REPORT.—The report submitted under this section shall include information about the results of the investigation regarding—

(A) whether certain manufacturers of edge network audio visual systems and associated IOT Transactions involuntarily surrendered foreign ownership or control of such equipment and systems;

(B) whether restrictions should be imposed on such edge network audio visual systems and associated IOT Transactions that are foreign adversarial ownership or control of such equipment and systems;

(C) whether regulations are necessary to address the threat of such adversarial equipment and systems.

(d) DUTIES.—In developing recommendations under subsection (b), the telecommunication 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 106 of the Higher Education Act of 1965 (20 U.S.C. 1061)) 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; and

(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.

(e) IDENTIFICATION AND REPORT.—The telecommunication interagency working group shall—

(1) identify whether 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;

(2) identify whether potential policies and programs that could be provided to institutions of higher education, for-profit businesses, State workforce development boards established under section 166 of the Workforce Improvement and Opportunity Act (29 U.S.C. 3111), or other relevant stakeholders to establish or adopt new

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. 4601. SHORT TITLE.

This title may be cited as the “Telecommunications Skilled Workforce Act”.

SEC. 4602. TELECOMMUNICATIONS INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—I 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.

(1) DEFINITION.—In this section, the term ‘telecommunications interagency working group’ means the interagency working group established under subsection (b)(1).

(2) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, the Chairman of the Commission, in partnership with the Secretary of Labor, shall establish a telecommunication interagency working group to develop recommendations to address the workforce needs of the telecommunications industry, including the safety of that workforce.

(3) 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 existing 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 106 of the Higher Education Act of 1965 (20 U.S.C. 1061)) 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; and

(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.
programs, expand current programs, or partner with registered apprenticeship programs, to address the workforce needs of the telecommunications industry, including such needs in areas and relevant non-Federal industry and labor stakeholder organizations;

(6) identify ways to improve the safety of telecommunications workers, including tower climbers;

(7) MEMBERS.—The telecommunications interagency working group shall be composed of the following representatives of Federal and relevant non-Federal industry and labor stakeholder organizations:

(A) a representative of the Department of Education, appointed by the Secretary of Education;

(B) a representative of the National Telecommunications and Information Administration, appointed by the Assistant Secretary of Commerce for Communications and Information;

(C) a representative of the Commission, appointed by the Chairman of the Commission.

(8) A representative of a registered apprenticeship program in construction or maintenance, appointed by the Secretary of Labor.

(9) A representative of a telecommunications industry association, appointed by the Chairman of the Commission.

(10) A representative of an Indian Tribe or Tribal organization, appointed by the Chairman of the Commission.

(11) A representative of a rural telecommunications carrier, appointed by the Chairman of the Commission.

(12) A representative of a telecommunications contractor firm, appointed by the Chairman of the Commission.

(13) A representative of a minority-serving institution (defined as an institution of higher education as defined in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067(a))), appointed by the Secretary of Education.

(14) A public interest advocate for tower climber safety, appointed by the Secretary of Labor.

(15) A representative of the Directorate of Construction of the Occupational Safety and Health Administration, appointed by the Secretary of Labor.

(16) A representative of a labor organization representing the telecommunications workforce, appointed by the Secretary of Labor.

(17) 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 shall consult 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 responsible to be a member of the working group.

(g) REPORT TO CONGRESS.—

(1) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Committee on Commerce, Science, and Transportation of the Senate; the Committee on Health, Education, Labor, and Pensions of the Senate; the Committee on Energy and Commerce of the House of Representatives; the Department of Labor; and the Commission shall submit to the appropriate congressional committees a report containing the recommendations to address the workforce needs of the telecommunications industry to—

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

(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 Department of Labor; and

(E) the Commission.

(2) MAJORITY SUPPORT.—The telecommunications interagency working group may not make a copy of the report submitted under paragraph (1) unless the report has the support of not less than the majority of the members of the working group.

(3) VOLUME.—The telecommunications interagency working group shall—

(A) include with the report submitted under paragraph (1) any concurring or dissenting views described in subparagraph (B); and

(B) identify each member to whom each concurring or dissenting view described in subparagraph (B) was attributed.

(4) PUBLIC POSTING.—The Commission and the Secretary of Labor shall make a copy of the report submitted under paragraph (1) available on the websites of the Commission and the Department of Labor, respectively.

(5) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the telecommunications interagency working group.

(b) SUNSET.—(1) The Telecommunications Act of 1996, 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.

(c) TELECOMMUNICATIONS WORKFORCE GUIDANCE. Not later than 1 year after the date of enactment of this Act, the Commission, 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 Investment Act 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 implement workforce development programs in the telecommunications industry; and

(3) ensure the safety of the telecommunications workforce, including tower climbers.

(d) GAO ASSESSMENT OF WORKFORCE NEEDS.—The Comptroller General of the United States shall conduct an examination of the workforce needs in the telecommunications industry on a regular basis and report to the appropriate congressional committees.

(2) CONGRESSIONAL RECORD — SENATE S3269
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 board, 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) 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."

‘‘(iii) The Director of the National Institute of Standards and Technology.

‘‘(iv) Which substitute for the Centers for Disease Control and Prevention.

‘‘(v) The Director of the National Institute of Allergy and Infectious Diseases.


‘‘(viii) The Chairperson of the Commodity Futures Trading Commission.

‘‘(ix) The Administrator of the Federal Aviation Administration.

‘‘(B) DESIGNATION OF 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) CONFERENCES 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 OF THE CHAIRPERSON.—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 and the head of the agency may assign.

SEC. 1005. FACTORS TO BE CONSIDERED.

‘‘(a) IN GENERAL.—Subject to subsection (b), the President, in determining whether to take action under section 1001(a)(11)(B)(i), shall consider any factors relating to national critical capabilities.

‘‘(b) DESIGNATION OF OFFICIALS TO CARRY OUT DUTIES OF THE CHAIRPERSON.—The President may delegate to the United States Trade Representative the authority for the President to protect such critical capabilities.

‘‘(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) violations 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. 1006. SUPPLY CHAIN SENSITIVITIES.

‘‘(a) IN GENERAL.—Not later than 60 days after receiving written notification under subsection (a) of a covered transaction, the Committee may—

‘‘(1) 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

‘‘(2) if the President determines under subparagraph (A) that the transaction poses a risk described in that subparagraph, make recommendations.

‘‘(b) The President for appropriate action that may be taken under this title or under other existing authorities to address or mitigate that risk; and

‘‘(c) 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)(i) 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).

SEC. 1007. IDENTIFICATION OF ADDITIONAL NATIONAL CRITICAL Capabilities.

‘‘(a) IN GENERAL.—The Committee may 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). The Committee shall conduct a review of industries identified by Federal Emergency Management Agency as carrying out emergency support functions, including the following industries:

‘‘(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 shall 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—

‘‘(i) the notifications received under subsection (a) of section 1003 and reviews conducted pursuant to such notifications;

‘‘(ii) reviews initiated under paragraph (2) of (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

‘‘(v) assessing the effectiveness 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 AUTHORITY.—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 the use of the authorities under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to make investments to ensure national critical capabilities and to 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 transactions that will be considered to be covered transactions; and

(3) the transactions 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 any supplies or 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 condition imposed, or order issued pursuant to this title, including to provide outreach to industry and persons affected by this title.

"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 prescribed in paragraph (1), shall work with those governments to establish information sharing regimes.

"SEC. 1012. PRIORITIZATION OF APROPRIATIONS.

"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.

"TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

"Sec. 1001. Definitions.

"Sec. 1002. Committee on National Critical Capabilities.

"Sec. 1003. Requirement of covered transactions.

"Sec. 1004. Action by the President.

"Sec. 1005. Factors to be considered.

"Sec. 1006. Supply chain sensitivities.

"Sec. 1007. Affirmative action of additional national critical capabilities.

"Sec. 1008. Reporting requirements.

"Sec. 1009. Regulations for covered transactions.

"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 to the pending amendment to the amendment intended to be proposed to 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 any electrical energy using non-renewable resources;

(B) electric grid modernization equipment;

(C) property designed to be used to produce electrical energy using renewable or non-renewable resources; or

(D) property designed to be used to produce electrical energy using a combination of renewable and non-renewable resources.

(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce.

(3) STATE.—The term ‘State’ means a State of the United States.

(b) APPLICATIONS.—In general.

"(1) ADVANCED ENERGY PROJECT.—The term ‘advanced energy project’ means—

(A) any project that—

(i) carries out a project that involves the installation of—

(I) other advanced energy property described in subparagraph (D); and

(ii) re-equips an industrial or manufacturing facility with equipment designed to refine, electrolyze, or blend any fuel, chemical, or product that is—

(I) renewable; or

(ii) low-carbon and low-emission;

(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 dioxide emissions; or

(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;

(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 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) that has fewer than 50 employees at the plant site of the manufacturing firm; and

(B) that has annual energy costs of more than $100,000,000.

(4) PROGRAM.—The term ‘program’ means the grant program established under subsection (a).

(5) QUALIFYING ADVANCED ENERGY PROJECT.—The term ‘qualifying advanced energy project’ means a project that—

(A) establishes or expands a manufacturing or recycling facility for the production or recycling, as applicable, of advanced energy property;

(B) 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.

(8) 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) ELIGIBILITY CRITERIA.

(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; and

(iii) will result in a higher level of job creation in the vicinity of the project, particularly with respect to—

...
(b) 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.

(f) FUNDING.—There is appropriated to the Secretary the property of the Treasury, out of 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:

SEC. 2515. RESTRICTIONS ON NUCLEAR CO-OPERATION 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 Co-operation with China’ (FR 2018–65), which was issued on October 11, 2018, places necessary and appropriate restrictions on nuclear co-operation with the People’s Republic of China and should 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 make 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 Attorney General, the Director of National Intelligence, shall submit to the appropriate committees of Congress a report describing any 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) an assessment of 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 required by subparagraph (B), the Comptroller General shall—

(A) examine all nuclear cooperation activities between the United States Government and the People’s Republic of China that are consistent with the laws and regulations of the United States; or

(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) A PPROPRIATE 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.

(f) 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 112 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(g) 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-China Joint Policy Framework on 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 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. 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. 18322(a)) establishes the long-term goal of expanding human presence in space and establishing a thriving space economy in low-Earth orbit.

(b) DIRECT ACCESS TO CRIMINAL HISTORY RECORDS:—(1) For Exploration, $6,706,400,000.

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 flight segment of the Space Launch System with a scheduled availability sufficient for use on the third launch of the Space Launch System.

(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 challenging international partners to establish sustainable capabilities in space technology, including lunar infrastructure and lander capabilities;

(3) to continuously maintain the capability for continuous human presence in low-Earth orbit and beyond in 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.

SEC. 2616. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the appropriate committees of Congress 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, $3,936,500,000.

(8) For Protection and Environmental Compliance and Restoration, $390,300,000.

(9) For Inspector General, $44,200,000.

SEC. 2617. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the appropriate committees of Congress for fiscal year 2021 $10,032,000,000 to NASA to carry out the Artemis program, for fiscal years 2021 and 2022, as follows:

(5) For Space Operations, $3,203,000,000.

(6) For Science, $7,274,700,000.

(7) For Aeronautics, $120,000,000.

(8) For Protection and Environmental Compliance and Restoration, $390,300,000.

SEC. 2618. 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 challenging international partners to establish sustainable capabilities in space technology, including lunar infrastructure and lander capabilities;

(3) to continuously maintain the capability for continuous human presence in low-Earth orbit and beyond in 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.

SEC. 2619. HUMAN LANDING SYSTEM PROGRAM.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this division, the Administrator shall brief the appropriate committees of Congress a briefing on the implementation of paragraph (1).

(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.

SEC. 2620. HUMAN LANDING SYSTEM PROGRAM—DEFINITIONS.—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 challenging international partners to establish sustainable capabilities in space technology, including lunar infrastructure and lander capabilities;

(3) to continuously maintain the capability for continuous human presence in low-Earth orbit and beyond in 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.

SEC. 2621. 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 flight segment of the Space Launch System with a scheduled availability sufficient for use on the third launch of the Space Launch System.

(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 challenging international partners to establish sustainable capabilities in space technology, including lunar infrastructure and lander capabilities;

(3) to continuously maintain the capability for continuous human presence in low-Earth orbit and beyond in 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.
committees of Congress on the development and scheduled availability of the Exploration Upper Stage for the third launch of the Space Launch System.

SEC. 2616. 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. 13653(a)) is amended by striking “2024” and inserting “2030”.

(b) MAINTENANCE OF UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS.—Section 503 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 13653(a)) is amended by striking “September 30, 2024” and inserting “September 30, 2030”.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section...
501(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 1854d) is amended—
(1) in paragraph (1), in the first sentence—
(A) by striking ‘‘as practicable’’ and all that follows through ‘‘2011,’’ and insert- ing ‘‘The’’; and
(B) by striking ‘‘September 30, 2024’’ and inserting ‘‘September 30, 2030’’;
(2) in paragraph (2), in the third sentence, by striking ‘‘September 30, 2024’’ and insert- ing ‘‘September 30, 2030’’; and
(3) in subsection (b), by striking ‘‘September 30, 2024’’ and inserting ‘‘September 30, 2030’’.
(c) TRANSITION PLAN REPORTS.—Section 70901(c) 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’’.
(Sec. 2623. COMMERCIAL DEVELOPMENT IN LOW-EARTH ORBIT.)
(a) STATEMENT OF POLICY.—It is the policy of the United States to encourage the develop- ment of a thriving and robust United States commercial sector in low-Earth orbit.
(b) ELIMINATION OF INTERNATIONAL SPACE STATION.
(1) IN GENERAL.—Not later than 300 days after the date of the enactment of this divi- sion, the Secretary of Defense shall—
(A) identify and review each activity, pro- gram, and project of the Department of De- fense, completed, being carried out, or planned to be carried out on the ISS as of the date of the review; and
(B) provide to the appropriate committees of Congress the results that describes the re- sults of the review.
(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘ap- propriate committees of Congress’’ means—
(A) the Committee on Armed Services, the Committee on Appropriations, and the Com- mittee on Commerce, Science, and Transpor- tation of the Senate; and
(B) the Committee on Armed Services, the Committee on Appropriations, and the Com- mittee on Science, Space, and Technology of the House of Representatives.
(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 re- quired by subsection (a).
(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 Interna- tional 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; and
(B) fosters stronger partnerships among NASA and other Federal agencies, private sectors, and research groups and universities;
(2) NASA advances science, technology, engineer- ing, and mathematics education through use of the unique microgravity environment; and
(3) NASA should continue to support fund- mental science research on future plat- forms in low-Earth orbit and cis-lunar space, orbital and suborbital flights, drop towers, and other microgravity testing environ- ments.
(b) REPORT.—The Administrator, in coordi- nation with the National Space Council and other Federal agencies as the Administrator considers appropriate, shall issue a report describing the feasibility of using a microgravity national laboratory federally funded research and development center to
(1) support science education;
(2) improve the capability of the ISS to accommodate commercial users; and
(3) subject to paragraph (3), to foster the development of commercial space stations and habitats.
(c) COMMERCIAL SPACE STATIONS AND HABITATS.—
(1) PRIORITY.—With respect to an activity to de- velop a commercial space station or an orbiting or habitat, the Administrator shall give pri- ority to an activity for which a private enti- ty provides a significant share of the cost to develop and operate the activity.
(2) REPORT.—Not later than 30 days after the date that an award or agreement is made to carry out an activity to develop a com- mercial space station or habitat, the Admin- istrator shall submit to the appropriate com- mittees of Congress a report on the develop- ment of the commercial space station or habitat, as applicable, that includes—
(i) a business plan that describes the manner in which the project will—
(A) meet the future requirements of NASA for low-Earth orbit human space-flight serv- ices; and
(B) fulfill the cost-share funding prioritization under subparagraph (A); and
(ii) a review of the extent to which each aspect of the operational business case, including—
(I) the level of expected Government par- ticipation;
(II) extent of anticipated nongovernmental and international customers and associated contributions; and
(III) an assessment of long-term sustain- ability for the nongovernmental customers, including an independent assessment of the viability of the market for such commercial services or products.

(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, the designated inventions 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 20149) 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) (II) the Administration is reimbursed for such services under subparagraph (B); or

(2) the Administrator determines that the relevant Federal 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 POLICY.—A determination or part of such a determination under paragraph (1) shall be made available to the public pursuant to section 552(b)(4) of title 51, 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, project, or in the case of a written contract with the Administration or the ISS management entity for the performance of a designated activity.

(2) 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 transparent process, taking into consideration the relative maturity and profitability of the applicable product or service.

(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, subject to the following:

(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 by the ISS; or

(C) essential to the performance of work by the ISS national laboratory or NASA personnel.

(b) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ‘contract’ has the meaning given the term under 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, process, or software developed 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 assignable, 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 or part of such determination 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 activity.

(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 transparent 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 2625, 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 of Federal equipment and materials, proprietary information of the Federal Government, or services of a Federal employee during working hours, including the costs for the Administrator 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).

(2) NOTIFICATION 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 corporation, in that payments received, if appropriately arranged, through a tiered process that reflects the profitability of the relevant product or service.

"(c) LICENSING AND ASSIGNMENT OF INVENTIONS.—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.

"(d) 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 3170a and 3170c of title 15 and any other provision of law, after payment in accordance with subsection (A)(1) or (A)(3), the Administrator may authorize to the Federal Government the interests in an invention under a written contract with the Administration or the ISS management entity, regardless of the stage of development 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) 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 non-governmental and international partners, to ensure that the resources Administra-

"(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 to the term in that section.

"(2) APPROPRIATE COMMITTEES OF CONGRESS.—(A) In general.—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.

"(c) CONFORMING AMENDMENT.—The table of sections for chapter 71 of title 5, United States Code, as amended by section 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:

"(2) Stepping stone approach to exploration

"(1) 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 20302(b) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(b)(5)), if the Administrator—

"(A) determines that each such mission demonstrates a technology or operational concept that will enable human missions to Mars; and

"(B) 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. 200202 note).

"(c) SPACE EXPLORATION ACTIVITIES.—In conducting a mission under subsection (a), the Administrator shall—

"(1) ensure that missions to 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 maintenance of the International Space Station; and

"(C) can function as a point of departure, return, or staging for Administration or non-governmental or international partner missions to multiple locations on the lunar surface or other destinations.

"(2) 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 non-governmental and international partners, to ensure that the resources Administration’s human space exploration program are balanced in order to help meet the require-

"(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.—(A) In general.—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:

"(B) The role of the human space facility as a staging, logistics, and operations hub in exploration architecture.

"(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.

"(c) SPACE EXPLORATION ACTIVITIES.—The Administrator shall establish an orbit around 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) is a staging, logistics, and operations hub in exploration architecture.
(3) function as a point of departure, return, or staging for Administration or non-governmental or international partner missions to multiple locations on the lunar surface or other destinations.

SEC. 628B. 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;

(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. 41. 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. 42. PERMANENT MODIFICATION OF INDIVIDUAL RATE BRACKETS.

(a) MARIED 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:

(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:

(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:

(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:

(5) ADJUSTMENT FOR INFLATION.—Subsection (f) of section 1 of the Internal Revenue Code of 1986 is amended—

(1) by striking “1999” in paragraph (1) and inserting “2018”,

(2) by striking “determined—” and all that follows in paragraph (2)(A) and inserting “certain unmarried individuals”,

(3) by striking “(a) married individual filing a separate return” in paragraph (7)(B) and inserting “unmarried individual other than a surviving spouse or head of household”

(4) by striking “(b) married individuals filing separately” in the heading of subparagraph (B) of paragraph (7) and inserting “certain unmarried individuals”,

(5) by striking paragraph (8),

(g) CAPITAL GAINS BRACKETS.—Subsection (b) 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) and inserting “below the maximum zero rate amount”,

(2) by striking “which would (without regard to this paragraph) be taxed at a rate below 30 percent” in paragraph (1)(C)(i) and inserting “below the maximum 15 percent rate amount”,

(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 1⁄2 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 (5⁄8 of 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)), $352,400.”
(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 1997’ in the case of the dollar amounts contained in subparagraph (5)(A) or subsection (i) thereof,

(‘ii) ‘calendar year 1996’ 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,

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) LIMITATION.—Paragraph (1)(A) of section 24(e) of the Internal Revenue Code of 1986 is amended to read as follows:

(‘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.—A taxpayer shall not be allowed a credit under this subsection if the taxpayer is claimed as a dependent on another taxpayer’s return.

(d) MAXIMUM AMOUNT OF REFUNDABLE CREDIT.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting paragraph (2) following new paragraph (1)(A):

(‘3) LIMITATION.—

A. IN GENERAL.—The amount determined under paragraph (1)(A) with respect to any qualifying child shall not exceed $1,000, 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 $1,000 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, by substituting for ‘calendar year 2017’ for ‘2016’ in subparagraph (A)(ii) thereof.

C. CERTAIN AMOUNTS.—In the case of any taxable year beginning in a calendar year after 2018, the $1,000 amount contained in paragraph (5)(A) or subsection (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 year begins, by substituting for ‘calendar year 2016’ in subparagraph (A)(ii) thereof—

D. ‘calendar year 1997’ in the case of the dollar amounts contained in paragraph (5)(A) or subsection (i) thereof,

E. ‘calendar year 1996’ in the case of the dollar amount contained in paragraph (5)(B).

(f) SOCIAL SECURITY NUMBER REQUIRED.—Paragraph (1) of section 24(e) of the Internal Revenue Code of 1986 is amended to add as follows:

(I) QUALIFYING CHILD SOCIAL SECURITY NUMBER REQUIREMENT.—No credit shall be allowed 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 a national living in the United States, in accordance with section 205(c)(2)(B)(i) of the Social Security Act, and

B. before the due date for such return.

(e) 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’’ and inserting ‘‘for any taxable year beginning after December 31, 2017, and before January 1, 2026’’.

(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)(i) of the Internal Revenue Code of 1986 is amended by striking ‘‘before January 1, 2026’’ and inserting ‘‘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’’ and inserting ‘‘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)(II) is amended by striking ‘‘before January 1, 2026’’ and inserting ‘‘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 SINAL PENITENCIARY SYSTEM.

(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 apply to services performed 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 11026(b) of the Internal Revenue Code of 1986 is amended by striking ‘‘and before January 1, 2026’’.
12. REPEAL OF DEDUCTION FOR PERSONAL EXEMPTIONS.

(1) Any increase determined under section 63(c)(2)(B) of the Internal Revenue Code of 1986, prior to the first day of the first calendar year beginning after May 20, 2021, shall be determined without regard to subsections (b)(1), (d)(2), and (d)(1)(B) thereof if the increased amount is not a multiple of $100, determined without regard to subsections (b)(1), (d)(2), and (d)(1)(B) thereof if the increased amount is not a multiple of $100.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of indebtedness after December 31, 2020.

SEC. 13. MODIFICATION OF RETURN REQUIREMENT.

(1) In general.—Section 6012 of the Internal Revenue Code of 1986 is amended by striking paragraph (3) and inserting the following:

"(3) A joint return required under section 6012(a) shall be treated as having been made by the taxpayer and the taxpayer's spouse if—

(A) the taxpayer and the taxpayer's spouse made a joint return, or

(B) the taxpayer and the taxpayer's spouse made a joint return for any taxable year beginning before January 1, 2017, and

(C) the taxpayer and the taxpayer's spouse made a joint return for any taxable year beginning after December 31, 2016.

(2) Joint return made before January 1, 2017.—If a joint return was made before January 1, 2017, the taxpayer and the taxpayer's spouse shall be treated as having made a joint return under this subsection as if—

(A) the taxpayer and the taxpayer's spouse made a joint return for the taxable year in which the joint return was made, or

(B) if a joint return was not made for the taxable year in which the joint return was made, the taxpayer and the taxpayer's spouse made a joint return for the taxable year beginning after December 31, 2016.

(3) Joint return made after January 1, 2017.—If a joint return was made after January 1, 2017, the taxpayer and the taxpayer's spouse shall be treated as having made a joint return under this subsection as if—

(A) the taxpayer and the taxpayer's spouse made a joint return for the taxable year in which the joint return was made, or

(B) if a joint return was not made for the taxable year in which the joint return was made, the taxpayer and the taxpayer's spouse made a joint return for the taxable year beginning after December 31, 2016.

(4) Joint return made before January 1, 2017.—If a joint return was made before January 1, 2017, the taxpayer and the taxpayer's spouse shall be treated as having made a joint return under this subsection as if—

(A) the taxpayer and the taxpayer's spouse made a joint return for the taxable year in which the joint return was made, or

(B) if a joint return was not made for the taxable year in which the joint return was made, the taxpayer and the taxpayer's spouse made a joint return for the taxable year beginning after December 31, 2016.

(5) Joint return made after January 1, 2017.—If a joint return was made after January 1, 2017, the taxpayer and the taxpayer's spouse shall be treated as having made a joint return under this subsection as if—

(A) the taxpayer and the taxpayer's spouse made a joint return for the taxable year in which the joint return was made, or

(B) if a joint return was not made for the taxable year in which the joint return was made, the taxpayer and the taxpayer's spouse made a joint return for the taxable year beginning after December 31, 2016.

(6) Joint return made before January 1, 2017.—If a joint return was made before January 1, 2017, the taxpayer and the taxpayer's spouse shall be treated as having made a joint return under this subsection as if—

(A) the taxpayer and the taxpayer's spouse made a joint return for the taxable year in which the joint return was made, or

(B) if a joint return was not made for the taxable year in which the joint return was made, the taxpayer and the taxpayer's spouse made a joint return for the taxable year beginning after December 31, 2016.

(7) Joint return made after January 1, 2017.—If a joint return was made after January 1, 2017, the taxpayer and the taxpayer's spouse shall be treated as having made a joint return under this subsection as if—

(A) the taxpayer and the taxpayer's spouse made a joint return for the taxable year in which the joint return was made, or

(B) if a joint return was not made for the taxable year in which the joint return was made, the taxpayer and the taxpayer's spouse made a joint return for the taxable year beginning after December 31, 2016.
(43) Section 500A(b)(3)(A) of such Code is amended by striking “section 152” and inserting “section 7706”.

(44) Section 500A(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 tax 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)(5)(A) of such Code is amended—
(A) by striking “had less than the exemption amount” in clause (i) and inserting “had no gross income”.
(B) by striking “had gross income of the exemption amount or more” in clause (ii) and inserting “had gross income”.
(C) by striking the flushing language following clause (iii).

(46) Section 6101(21)(A)(ii) of such Code is amended to read as follows:
“‘(ii) the number of the taxpayer’s dependents’.”

(47) Section 6213(a)(2) of such Code is amended by striking subparagraph (H).

(48) Section 6331(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 amount determined under subparagraph (B) and the standard deduction, divided by
(ii) 52.
(ii) AMOUNT DETERMINED.—For purposes of subparagraph (A), the amount determined under this subparagraph is $1,150 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 $1,150 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)(1) for the calendar year in which the taxable year begins, by substituting ‘calendar year 2017’ for ‘calendar year 2016’ in subparagraph (A) thereof.

‘‘(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 years beginning after December 31, 2016’ in subparagraph (A)(ii) thereof.

(45) The table of sections for chapter 79 of such Code is amended by adding at the end the following new item:
“Sec. 7706. Determination.”

(e) 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 166(b) of the Internal Revenue Code of 1986 is amended—
(1) by striking ‘‘, and before January 1, 2016’’, and
(2) by striking ‘‘2016 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 INDENTEDNESS.—
(1) IN GENERAL.—Section 163(h)(3)(B)(i) of the Internal Revenue Code of 1986 is amended by striking ‘‘during the taxable year on account of home equity indebtedness with respect to any qualified principal residence of the taxpayer’’. For purposes of—
(2) CONFORMING AMENDMENT.—Section 163(h)(3)(C) of such Code is amended by striking subparagraph (C).

(b) LIMITATION ON ACQUISITION INDENTEDNESS.—
(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 15, 2017; REFINANCINGS.—Section 163(h)(3)(B) of the Internal Revenue Code of 1986, as amended by section 16 of chapter 1 of this title, is amended—
(1) by striking subsection (g), and
(2) by striking ‘‘2018 THROUGH 2025’’ in the heading and inserting ‘‘AFTER 2017’’.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply to losses incurred in 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 166(b) of the Internal Revenue Code of 1986 is amended—
(1) by striking ‘‘, and before January 1, 2016’’, and
(2) by striking ‘‘2016 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. 16. REPEAL OF MISCELLANEOUS ITEMIZED DEDUCTIONS.
(a) IN GENERAL.—Section 165 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 (c), and
(3) by striking ‘‘2-PERCENT FLOOR’’ in the heading and inserting ‘‘TREATMENT’’.

(b) CONFORMING AMENDMENT.—The table of sections for part I 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”.

(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 chapter 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 151(f)(7) of the Internal Revenue Code of 1986 is amended by striking “section 68(b)(2),’’.

(2) Section 65(b)(1) of such Code is amended by striking subsection (b), and

(3) Section 164(b)(5)(H)(i)(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 ‘‘88(b)’’.
(4) Section 6242(b)(2)(C)(ii)(I) of such Code is amended by striking ‘‘as an individual described in subsection (B)(2)’’, and inserting ‘‘as an individual who is not married and who is not a surviving spouse or head of household’’.
(5) Section 72(k)(3)(B) of such Code is amended by striking clause (1) and redesignating clauses (2) through (iv) as clauses (i) through (iv), 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 MOVING EXPENSE 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’’ 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 bicycling commuting reimbursement)’’.
(3) Section 132(f)(5) of such Code is amended by striking subparagraph (F).

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 19. PERMANENT EXTENSION OF MODIFICATIONS TO GIFT TAX PAYABLE TO REFLECT DIFFERENT TAX RATES.

(a) In General.—Section 2001(c)(3)(A) of the Internal Revenue Code of 1986 is amended by striking ‘‘$10,000,000’’ and inserting ‘‘$10,000,000,000’’.

(b) Conforming Amendments.—
(1) Section 2010(c)(3)(A) 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 section 2001 shall be determined in lieu of the rates of tax in effect at the time of such gifts, be used both to compute—
‘‘(i) the tax imposed by chapter 12 with respect to such gifts, and
‘‘(ii) the credit allowed against such tax under section 2005, 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 taxpayers dying and gifts made 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), and
(B) by redesignating subsections (g), (h), and (j) as subsections (c), (d), and (e), respectively, and
(C) in subsection (c), as so redesignated—
(i) in paragraph (1), by striking ‘‘(other than a qualified military member)’’ and inserting ‘‘qualified military member’’, and
(ii) 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.’’.

SEC. 21. PERMANENT EXTENSION OF LIMITATION ON ARMS EXPORT 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 apply to taxable years beginning after December 31, 2020.

SEC. 22. INCREASE IN ESTATE AND GIFT TAX EXEMPTION MADE PERMANENT.

(a) In General.—Section 132(g) 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)(A) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C).
(2) Section 2010(c)(3)(B) of such Code is amended by striking subparagraph (A), and inserting ‘‘$70,300’’, and
(3) Section 2010(c)(3)(C) of such Code is amended by striking subparagraph (A), and inserting ‘‘$109,400’’, and
(4) Section 2011 of such Code is amended—
(A) in paragraph (1)—
(i) in the first sentence—
(I) by striking ‘‘$150,000’’ in subparagraph (A) and inserting ‘‘$190,400’’, and
(II) by striking ‘‘$300,000’’ in subparagraph (B) and inserting ‘‘$70,300’’, and
(ii) in paragraph (2)—
(I) by striking ‘‘$150,000’’ in subparagraph (A) and inserting ‘‘$1,000,000’’, and
(II) 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 2010(c)(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) thereof—
(I) ‘calendar year 2017’ in the case of the dollar amounts described in clauses (i), (iv), and (v) of subparagraph (B), and
(II) ‘calendar year 2018’ in the case of the dollar amounts described in clauses (ii) and (iii) of subparagraph (B),’’.

SEC. 23. INCREASE IN ALTERNATIVE MINIMUM TAX EXEMPTION MADE PERMANENT.

(a) In General.—Section 55(d)(1) 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).’’.

(1) Effective Date.—The amendments made by this section shall apply to estates of taxpayers dying and gifts made after December 31, 2020.

SEC. 24. TECHNICAL AMENDMENT.

Section 11000 of Public Law 115–97 is amended by redesigning subsection (a) as subsection (b) and by inserting before subsection (b) the following:

‘‘(a) Short Title.—This title may be cited as the ‘Tax Cuts and Jobs Act’.’’.

SA 1850. 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 and 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 and critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In subsection (a)(1) 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 and critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In subsection (a)(1) of section 2005—

(1) the beginning of paragraph (1), after ‘‘batteries’’ insert ‘‘carbon capture, utilization, and storage.’’;
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. 3256. 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, in the Treasury of the United States Government, for fiscal year 2021, $1 billion to stockpile 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 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.

(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 (c).

(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 412(a)(4) 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 individuals, corporations, foundations, and other private parties 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.—In general, subsection A of part IV of subchapter A of chapter I of the Internal Revenue Code of 1986 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.—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, or vocational education and training, workforce development, or apprenticeship training, including prepa-

“(3) ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS—(i) is described in section 501(c)(3) and exempt from taxation under section 501(a), and,

“(ii) 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);

“(A) Community colleges,

“(B) Workforce training programs (as defined by the applicable State workforce agency),

“(iii) Organizations which provide—

“(1) career and technical education, or

“(2) training or apprenticeships, including, but not limited to, training or apprenticeships operated by a collective bargaining organization or that provide industry recognized certifications or credentialing programs.

“(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—

“(I) an organization that—

“(A) is described in section 501(c)(3) and exempt from taxation under section 501(a), and

“(B) provides qualifying scholarships for qualified expenses to only individual elementary and secondary students who—

“(1) reside in the State in which the eligible scholarship-granting organization is recognized, or
States, Virgin Islands, and the Department of the Northern Mariana Islands, the United States Virgin Islands, and the Commonwealth of Puerto Rico, and 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 NON-PUBLIC EDUCATION PROVIDERS.—

(A) Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of 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 to have any control over 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 SCHOLARSHIP-FUNDING ORGANIZATIONS.—

(A) Nothing in this Act shall be construed to prevent a taxpayer from using any credit allowed under this section or section 45U from the proceeds of a qualified contribution made by the taxpayer for the taxable year.

(B) 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 amount of such tax credit may be carried forward for a period not to exceed 5 years.

(C) 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.

(D) 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.

(E) CLERICAL AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of title 26 shall be 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.

(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(b)(1)) of the domestic corporation for such taxable year.

(b) CREDIT FOR CORPORATIONS.—

(1) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by adding 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 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(b)(1)) of the domestic corporation for such 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 (2);

(B) by striking the period at the end of paragraph (3) and inserting ‘‘plus’’;

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

``(3) 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 of this title is amended by adding at the end the following new item:

``Sec. 45U. Contributions to eligible scholarship-granting organizations and eligible workforce training organizations.''


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; and

(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 filing;

(b) 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

(c) 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—

(1) student eligibility;

(2) allowable educational expenses;

(3) the types of allowable education providers;

(4) the percentage of funds an organization may use for program administration; and

(5) the percentage of total contributions the organization awards in a calendar year.

(b) NONPORTAL CONTRIBUTIONS.—A taxpayer may opt to make direct contributions 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, 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 federal poverty line in the State, as determined by the Secretary of Education, on the basis of the most recent satisfactory data, bears to

(by) the number of individuals in all such States, as so determined.

(B) Annually.—After the initial allocations described in paragraph (2)(A)(ii), the Secretary shall annually allocate to each State the sum of—

(aa) an amount equal to 5 percent of the sum of the qualifying contributions made in the State for the previous year; and

(bb) the amount allocated to the State under paragraph (2)(A)(ii).
the number of those individuals in all such States, as so determined; and
(ii) from the amount allotted under sub-
paragraph (1)(B)—
(I) first reserve, for each State, an amount
equal to the sum of the qualifying contribu-
tions made in the State in the previous year
attributable to eligible workforce training
organizations;
(II) next, allocate the remaining amount
among the participating States by allocating
to each State an amount determined through
a system developed and maintained by the
Secretary of Labor, that accurately reflects
demand and potential qualified partici-
pants for apprenticeships and workforce
training programs.

(B) MINIMUM ALLOCATION.—Notwith-
standing subparagraph (A), no State receiv-
ing an allotment under this section may re-
ceive less than one-half of one percent of the
amount allotted for a fiscal year.

(C) ALTERNATIVE ALLOCATION FOR QUALI-
FIED CONTRIBUTIONS TO ELIGIBLE SCHOLAR-
SHIP-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(c) of the Internal Revenue Code of 1986 for the
participating States exceeds 50 percent of the total
amount of credits claimed under section 25E of the
Internal Revenue Code of 1986 for all States, the
Secretary of Education may reallocate, to one or more
States, the remaining amount of the national cap for
that year—
(I) (A) first reserve, for each State, an amount
which is equal to the sum of the qualifying contri-
tutions made in the State in the previous year;
(II) next, allocate the remaining amount
among the participating States by allocating
to each State an amount determined through
a system developed and maintained by the
Secretary of Labor, that accurately reflects
demand and potential qualified partici-
pants for apprenticeships and workforce
training programs.

(ii) ALTERNATIVE ALLOCATION METHOD.—The
alterative 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 sec-
ondary 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 relative percentage of students in
the State who receive a college or technical
scholarship through a State program that is
financed through State tax-credited
donations or appropriations and that permits
the college or technical scholarship to
be used to attend a private institution;
(iii) other data determined by the
Secretary as practicable with respect to the
first year, and thereafter as the
Secretary determines.

(iii) ALLOCATION FORMULA.—For any fiscal
year, the allocation formula which clause (i) applies, the
Secretary of Education shall—
(I) first reserve, for each State, an amount
equal to the sum of the qualifying contribu-
tions made in the State in the previous year;

(ii) next, allocate two-thirds of the remain-
ing amount of the national cap for that year
using the alternative allocation method
in clause (i).

(iii) then, allocate one-third of the remain-
ing 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 eli-
gible for the alternative allocation through the
alternative allocation method under clause
(ii).

(3) ALLOWABLE PARTNERSHIPS.—A State
may enter into an agreement with any person or
organization to receive a portion of an 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
participating State serve students who re-
side in all States in the partnership.

(4) TOTAL ALLOCATION.—A State’s allo-
cation, 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 (3)(C).

(5) ALLOCATION AND ADJUSTMENTS.—
(A) INITIAL ALLOCATION.—No later than
November 1 of the year preceding the
applicable fiscal year, the Secretary of
Education shall allocate the State
allocations under paragraph (2) for
the applicable fiscal year.

(B) LIST OF ELIGIBLE SCHOLARSHIP-
GRANTING ORGANIZATIONS.—No later than
January 1 of each applicable year, the
Secretary shall provide the Secretary of
Education a list of eligible scholarship-
granting organizations, including eligible
workforce training organizations, that have
met the applicable requirements described in
paragraph (2) for the applicable fiscal year.

(C) ALTERNATIVE ALLOCATION FOR QUALI-
FIED CONTRIBUTIONS TO ELIGIBLE SCHOLAR-
SHIP-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(c) of the Internal Revenue Code of 1986 for the
participating States exceeds 50 percent of the total
amount of credits claimed under section 25E of the
Internal Revenue Code of 1986 for all States, the
Secretary of Education may reallocate, to one or more
States, the remaining amount of the national cap for
that year—
(I) (A) first reserve, for each State, an amount
which is equal to the sum of the qualifying contri-
tutions made in the State in the previous year;
(II) next, allocate the remaining amount
among the participating States by allocating
to each State an amount determined through
a system developed and maintained by the
Secretary of Labor, that accurately reflects
demand and potential qualified partici-
pants for apprenticeships and workforce
training programs.

(ii) ALTERNATIVE ALLOCATION METHOD.—The
alterative 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 sec-
ondary 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 relative percentage of students in
the State who receive a college or technical
scholarship through a State program that is
financed through State tax-credited
donations or appropriations and that permits
the college or technical scholarship to
be used to attend a private institution;
(iii) other data determined by the
Secretary as practicable with respect to the
first year, and thereafter as the
Secretary determines.

(iii) ALLOCATION FORMULA.—For any fiscal
year, the allocation formula which clause (i) applies, the
Secretary of Education shall—
(I) first reserve, for each State, an amount
equal to the sum of the qualifying contribu-
tions made in the State in the previous year;

(ii) next, allocate two-thirds of the remain-
ing amount of the national cap for that year
using the alternative allocation method
in clause (i).

(iii) then, allocate one-third of the remain-
ing 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 eli-
gible for the alternative allocation through the
alternative allocation method under clause
(ii).

(3) ALLOWABLE PARTNERSHIPS.—A State
may enter into an agreement with any person or
organization to receive a portion of an 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
participating State serve students who re-
side in all States in the partnership.
funded research and development centers, defense industrial base entities, nonprofit organizations, commercial entities, and venture capital firms that are engaged in the military, defense, or national security 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.—PROPOSED TO PROMOTE AND PROTECT NATIONAL SECURITY INNOVATION BASE.—

(1) SPECIAL IMMIGRANT STATUS.—In accordance with the procedures established under paragraph (2), 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 any minor child 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) NUMERICAL LIMITATIONS.—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 216 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) The total number of aliens described in paragraph (2) who may be provided special immigrant status under this subsection may not exceed—

(1) 200 in fiscal year 2022;

(2) 200 in fiscal year 2023;

(3) 300 in fiscal year 2024;

(4) 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. 1101(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 Department of Defense shall develop and implement a process to select, on a competitive basis from among individuals described in paragraph (2), individuals for recommendations 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 research and development agencies;

(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 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.

(8) REPORTING REQUIREMENTS.—

(1) IMPLEMENTATION REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees and the Comptroller General of the United States, pursuant to section 204(c) and 204(d), describing in detail the results of the evaluation conducted pursuant to subparagraph (A).

(B) PROGRAM EVALUATION AND REPORT.—

(1) EVALUATION.—The Comptroller General of the United States shall conduct an evaluation of the competitive program and special immigrant program described in subsection (c).

(2) REPORT.—Not later than October 1, 2025, the Comptroller General shall submit a report to the appropriate congressional committees that includes a plan for implementing the congressional recommendations of the evaluation conducted pursuant to subparagraph (A).

(d) REPORTING REQUIREMENTS.—

(1) EVALUATION.—The Comptroller General of the United States shall conduct an evaluation of the competitive program and special immigrant program described in subsection (c).

(2) REPORT.—Not later than October 1, 2025, the Comptroller General shall submit a report to the appropriate congressional committees that includes a plan for implementing the congressional recommendations of the evaluation conducted pursuant to subparagraph (A).

(e) Authorization to Promote and Protect National Security Innovation Base.—

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, bay, estuaries, and coasts.
(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 and Offshore Energy Development Act’’;

(2) by striking “Secretary of Commerce” and inserting “Under Secretary of Commerce for Oceans and Atmosphere’’; and

(3) by striking “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 “Administrator of the National Oceanic and Atmospheric Administration’’; 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 advanced ocean technologies and applications, including such technologies and applications that derive genetic material directly from environmental samples without any obvious signs of biological source material.

(b) DEPLOYMENT AND IMPROVEMENTS.—The Administrator shall work with the Interagency Ocean Observation Committee, the regional associations of ocean observing systems, and other ocean observing programs to coordinate technology needs and the transition of new technologies from research to operation.

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 academic partners, as appropriate, shall establish an Electronic Monitoring Innovation Prize, which may be awarded by agreement with the National Academy of Sciences to conduct the comprehensive assessment under subsection (b).

(a) AGREEMENT.—Not later than 45 days after the date of the enactment of this Act, the Administrator shall 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 will 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 the sustainable development of ocean resources, marine transportation, offshore energy development and sitting including for renewable energy, offshore mineral production, ship and boat building, tourism, recreation, subsistence, commercial, recreational, and charter fishing, seafood processing, and other industry-related aquaculture, aquaculture such as kelp and shellfish, and other industries the Administrator considers appropriate (known as ‘‘Blue Economy’’ industries);

(B) the extent possible, the qualified value and impact of the natural capital of the Great Lakes, oceans, bays, estuaries, and coastal and marine habitats, including such data collected by businesses that purchase and commodity the data, including weather prediction and seasonal agricultural forecasting; and

(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—

(1) defining the Blue Economy, in coordination with Indian Tribes, academia, the private sector, nongovernmental organizations, and other relevant Federal agencies;

(2) making recommendations for updating North American Industry Classification System (NAICS) reporting codes to reflect the Blue Economy; and

(3) providing a comprehensive estimate of the value and impact of the Blue Economy with respect to each State and territory of the United States.

(d) REPORT.—The Administrator shall submit to appropriate committees of Congress a report on the comprehensive assessment conducted under subsection (b).

(e) DEFINITION OF APPROPRIATE COMMITTEES.—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 Senate; and

(D) the Committee on Natural Resources of the House of Representatives.

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 economic activity of existing, emerging, and new industries, including fisheries, biogeochemical material directly from environmental samples without any obvious signs of biological source material, 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 ocean observing systems, and other ocean observing programs to coordinate technology needs and the transition of new technologies from research to operation.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Administrator shall submit to appropriate committees of Congress a report on the comprehensive assessment conducted under subsection (b).

(d) DEFINITION OF APPROPRIATE COMMITTEES.—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 Senate; and

(D) the Committee on Natural Resources of the House of Representatives.

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 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 will 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 the sustainable development of ocean resources, marine transportation, offshore energy development and sitting including for renewable energy, offshore mineral production, ship and boat building, tourism, recreation, subsistence, commercial, recreational, and charter fishing, seafood processing, and other industry-related aquaculture, aquaculture such as kelp and shellfish, and other industries the Administrator considers appropriate (known as ‘‘Blue Economy’’ industries);

(B) the extent possible, the qualified value and impact of the natural capital of the Great Lakes, oceans, bays, estuaries, and coastal and marine habitats, including such data collected by businesses that purchase and commodity the data, including weather prediction and seasonal agricultural forecasting; and

(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—

(1) defining the Blue Economy, in coordination with Indian Tribes, academia, the private sector, nongovernmental organizations, and other relevant Federal agencies;

(2) making recommendations for updating North American Industry Classification System (NAICS) reporting codes to reflect the Blue Economy; and

(3) providing a comprehensive estimate of the value and impact of the Blue Economy with respect to each State and territory of the United States.

(d) REPORT.—The Administrator shall submit to appropriate committees of Congress a report on the comprehensive assessment conducted under subsection (b).

(e) DEFINITION OF APPROPRIATE COMMITTEES.—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; and

(D) the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 10. ADDITIONAL FUNDING 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:

May 20, 2021

S2088

CONGRESSIONAL RECORD — SENATE
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 across applications that correspond to the program’s budget.

(b) ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM—

(1) MISCELLANEOUS.—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 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 Earth observation 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) LISTS OF VENDORS.—Not later than 180 days after the date of enactment of this section, and annually thereafter, the Administrator shall—

‘‘(1) prepare and submit to the Committees of Congress a report that includes the following—

‘‘(A) a list of all vendors that provide remote sensing data and imagery to NASA;

‘‘(B) the end-use license terms and conditions for each such vendor.

‘‘(2) 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;

‘‘(3) A description 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 Critical Supply Chain Resiliency Program.

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 103, 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 2025 shall be transferred to the Secretary of Energy for lithium extraction or purification activities for such fiscal year.

(4) 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 103, 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 2025 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.

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 2026 shall be transferred to the Secretary of Energy for uranium enrichment activities for such fiscal year.

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, OR USE TRADE SECRETS MISAPPROPRIATED OR ACQUIRED THROUGH UNLAWFUL MEANS.

(a) SHORING TRENCH.—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 importations of articles that contain, were produced using, benefit from, or use any trade secret acquired through improper means or mis-appropriation 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 consider, based on the information regarding 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 agencies (or their designees) as the Committee 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, non-voting member of the Committee.

“(C) CHAIRPERSON.—The Attorney General shall serve as the chairperson of the Committee.

“(D) MEETINGS.—The Committee shall meet upon the request of the Director of National Intelligence or upon the call of the chairperson, without regard to section 3 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3203) or the Federal Advisory Committee Act (5 U.S.C. App.), or any comparable law (as in effect on the date of the enactment of this Act) or any other Federal statute, on the basis of the facts and circumstances of the case.

“(E) PROCEDURES FOR EXCLUSION.—

“(1) IN GENERAL.—Except as provided in paragraph (B), information submitted to the Commission shall be exempt from disclosure under clause (I) of this subparagraph.

“(2) PRESIDENTIAL REVIEW.—If, before the end of the 15-day period beginning on 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.

“(F) ACTION BY SECRETARY OF THE TREASURY.—

“(1) NOTIFICATION.—Upon expiration of the 15-day period described in paragraph (2), or notification from the President of approval of that determination 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) REGULATIONS.—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 covered articles.

(4) CONTINUATION IN EFFECT.—Any exclusion from entry of covered articles under subsection (a) shall continue in effect until the Commission carries out this section.

(A) determines that the conditions that led to such exclusion from entry no longer exist; and

(B) notifies the Secretary of the Treasury of that determination.

(5) MODIFICATION OR RESCISSION.—

(A) 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.

(6) 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 petitioning party.

(7) 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.

(8) 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.

(c) CIVIL ACTIONS.—

(1) IN GENERAL.—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 EXCLUSION.—Section 552 of title 5, United States Code (commonly referred to as the ‘Freedom of Information Act’), shall not apply to the activities carried out 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 were produced using, benefit from, or use trade secrets misappropriated or acquired through improper means, such as theft, bribery, or coercion;’.

SA 1872. Mr. RYNN (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 can be a threatposed 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 not abide by the rules-based, global trading system, both in developed countries and developing countries in critical technologies and supply chains and developing countries, while creating depend-
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, establishing 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 carbon-storing 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. 3002. 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 authority 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, 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.

Section 1613 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:

‘‘(1) PROHIBITION ON RESTRICTIONS ON POWER-GENERATION PROJECTS BY UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION IN CERTAIN COUNTRIES.—

Section 1613 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:

‘‘(1) PROHIBITION ON RESTRICTIONS ON POWER-GENERATION PROJECTS IN CERTAIN COUNTRIES.—

‘‘(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 new Directorate for 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, as defined in section 105(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2356 note).

(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. MERCLEY (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 of appropriate description and having a reasonable basis to conclude that the goods were produced by a manufacturer, distributor, seller, or private labeler seeking to have a product introduced, sold, advertised, or offered for sale in commerce by a manufacturer, distributor, or 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) 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) OMB 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) OMB 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 of the 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. Such protection 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 in subparagraph (2)’’ after ‘‘prohibited by law’’.

In section 2510(b) of division B, insert the following at the end:

(3) LIMITATION OF LIABILITY.—A retailer or internet website as is not in violation of section 2510(b) of this division and 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 the publication of this division’’ and insert ‘‘the date of 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 415(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:

In section 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 ‘‘all’’.

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 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, 3303(b), and 3328 of that title, a qualified candidate described in paragraph (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 the fellowship or temporary rotational posting within a Federal agency.

(1) earned a doctoral degree in a STEM field from an institution of higher education;

(2) successfully fulfilled the requirements of the fellowship or temporary rotational posting described under this sub-section.

(D) NUMBER.—The number of employees appointed and retained by the Federal Government under this paragraph shall not exceed 10 at any time.

In section 2304 and insert the following:

SEC. 2204. PERSONNEL MANAGEMENT AUTHORITY FOR THE FOUNDATION.

(a) STUDY.—Not later than 2 years 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 operational and management structure of the Foundation, to—

(1) evaluate and make recommendations to efficiently and effectively implement the Director for Technology and Innovation;

(2) evaluate and make recommendations to ensure coordination of the Director for Technology and Innovation with other directors 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 to develop and submit to the Congress a plan for the implementation of the 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 the chapter 73 of the 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 51 of that title, United States Code, at a rate that does not exceed the per annum rate of basic pay of the President of the United States under section 104 of title 3, United States Code.

S3293
May 20, 2021
CONGRESSIONAL RECORD — SENATE

(87x436)TATION OF GOODS MADE WITH FORCED LABOR.

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(603x724)In section 2510(b) of division B, insert the following at the end:

(3) FELLOWSHIP OR TEMPORARY ROTATIONAL POSTING.—Subparagraph (A) applies with respect to a former recipient of an award under this section who—

(1) earned a doctoral degree in a STEM field from an institution of higher education;

(2) successfully fulfilled the requirements of the fellowship or temporary rotational posting described under this sub-section.

(D) NUMBER.—The number of employees appointed and retained by the Federal Government under this paragraph shall not exceed 10 at any time.

In section 2304 and insert the following:

SEC. 2204. PERSONNEL MANAGEMENT AUTHORITY FOR THE FOUNDATION.

(a) STUDY.—Not later than 2 years 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 operational and management structure of the Foundation, to—

(1) evaluate and make recommendations to efficiently and effectively implement the Director for Technology and Innovation;

(2) evaluate and make recommendations to ensure coordination of the Director for Technology and Innovation with other directors 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 to develop and submit to the Congress a plan for the implementation of the 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 the chapter 73 of the 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 51 of that title, United States Code, at a rate that does not exceed the per annum rate of basic pay of the President of the United States under section 104 of title 3, United States Code.
SEC. 2669. SEPARATIONS AND RETIREMENT INCENTIVES.

(a) In General.—Section 3521(2)(C), not to exceed $40,000'' after ``$25,000''.

(b) Procedures.—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 with 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 Administrator may, at the request of 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. The Secretary shall carry out this subsection using regulations established by the Administrator, subject to such limitations or conditions as the Administrator may require.

SEC. 3314. PROHIBITION ON PROCUREMENT OF CLEAN AND ZERO EMISSION VEHICLES FROM SOURCES USING FORCED OR CHILD LABOR.

SEC. 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 resilience program, and for other purposes; which was ordered to lie on the table; and as follows:

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

SEC. 2650. SEPARATIONS AND RETIREMENT INCENTIVES.

(a) In General.—Section 3521 of title 5, United States Code, is amended by adding at the end the following:

(3) An employee who receives separation pay under this program may not be reemployed by 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 separation pay under such program may not be reemployed by the Administration for a 12-month period following the 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.

(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.

(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

(2) in paragraph (2)—

(i) in subparagraph (A), by striking ‘‘and’’ and inserting ‘‘(i)’’;

(ii) in subparagraph (B), by striking ‘‘(i)’’ and inserting ‘‘(ii)’’;

(iii) by striking ‘‘(ii)’’ and inserting ‘‘(i)’’.

(c) Administrator Responsibilities.—In carrying out the pilot program established under subsection (b), the Administrator shall ensure that the pilot program—

(1) includes—

(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 participation by demographic factors including age, race, ethnicity, gender, education, compensation, and job classification;

(3) compares the demographics of the participants in the program 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 2659 and insert 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 vehicles 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, produced, or manufactured in any of the following:

(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 in section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 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 resilience program, and for other purposes; which was ordered to lie on the table; and as follows:

At the appropriate place, insert the following:

TITLE ONSHORING RARE EARTHS ACT

SEC. 1. PERMANENT RESTRICTION ON USE OF 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:

(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, hafnium, lanthanum, lutetium, manganese, neodymium, praseodymium, promethium, samarium, scandium, terbium, thulium, ytterbium, and yttrium.

(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.

SEC. 2. DEDUCTION FOR PURCHASE OF 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) 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

“(B) 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

“(C) 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) REDUCED PROPERTIES.—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 subsection 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 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 the cost of the components of the manufactured product 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 SECTION 2352C OF THE LIBERALIZATION ACT OF 1973 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 (2 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 Persiak.

(7) Any other person who the President determines to be responsible for the actions of Nord Stream 2 AG.

(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 1885. Mr. HAGERTY (for himself, Mr. INHOFE, Mr. SHEELBY, 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:

At the appropriate place, insert the following:

“Section 3 of the Energy Independence and Security Act of 2007, as added by section 312 of Public Law 112-55, is amended by striking ‘manufactured product’ and inserting ‘manufactured product, or construction material’ and inserting ‘manufactured product’ and inserting ‘manufactured product, or construction material’.

Not later than 60 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 expenditures by all executive agencies.

Not later than 120 days 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. 2119. 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 expenditures by all executive agencies.”
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 90 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 1921 of the Homeland Security Act of 2002 shall be 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 1921 of the Homeland Security Act of 2002 shall be 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. 2007.**

(a) **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, Mr. BERNSTEIN, Mr. RUSKIN, Mr. SCHUMER, Mr. WINGS, Mr. BIDEN, Mr. RUHLE, Mr. COTTON, Mr. SMITH of Indiana, 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. 2008. LIMITATION ON RESEARCH.**

None of the activities authorized by this Act may include, conduct, or support any research—

(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:

In section 2007(b)(3)(C), strike "any prior or subsequent Act,".

**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. 3009. TREATMENT OF EXEMPTIONS, RECORDKEEPING, AND CERTAIN COMMUNICATIONS UNDER FARA.**

(a) **LIMITATION ON 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. 631), is amended—

(1) in each of subsections (a) through (f), by strik- ing the semicolon at the end of the subsection and inserting a period;

(2) by inserting "(3) by adding at the end the following: 

(C) "the";

(C) in the matter preceding subparagraph (C) (as so designated), by striking "such for- eign principal; or (2) in other" and inserting the following: "the foreign principal; and"

(B) by striking "(4)" and inserting the following: "only in—"

"(A) private;"

"(B) by striking "(5)" and inserting the following:

"(A) by striking the second sentence and in-
serting the following:

"(B) on provision of notice to the applica-
tive person or employee, or to the govern-
ment of which a person is an agent or em-
ployee, the Attorney General, having due re-
gard for the public interest and national de-
ference—"

"(iii) the applicable government''; and

"(ii) on receipt of a request of the Sec-
retary of State, shall terminate, in whole or in part, the ex-
emption of the person or employee under this par-agraph; and

"(i) on approval of the Secretary of State, may ter-
minate, in whole or in part, the ex-
exemption of the person or employee under this par-
graph; and

"(B) on provision of notice to the applica-
tive person or employee, or to the govern-
mula of which a person is an agent or em-
ployee, the Attorney General, having due re-

(B) by striking "(6)" and inserting the following:

"(A) by striking the second sentence and in-
serting the following:

"(B) on provision of notice to the applica-
tive person or employee, or to the govern-
mula of which a person is an agent or em-
ployee, the Attorney General, having due re-

ting the following: "the foreign principal; and"

"(C) by adding at the end the following: 

"(B) the";

"(B) 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 in-
“(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 of service;” 

“(i) the person;” and 

(iv) in the matter preceding clause (i) (as so designated), by striking “Any person, or employee of a person;” and inserting “An agent to subparagraph (B), any person (or employee of a person);” 

(4) in subsection (g), by striking “States: President determines to be necessary and appropriate.” and inserting “Secretary determines to be necessary and appropriate.” 

(5) in redesigning 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 striking the following: “(b) LIMITATION FOR HUMAN RIGHTS ABUSES.—The exemptions under paragraphs (3), (4), (5), and (6) 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. 615.5), 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,” and inserting “Within 3 years after the date of the application of section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615) (as amended by paragraph (1)), 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,” and inserting “Within 3 years after the date of the application of section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615) (as amended by paragraph (1)), 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;”;

(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 CRYPTO CURRENCY.—

“(a) BOOKS OF ACCOUNT AND RECORDS.—

(1) REGULATIONS FOR BOOKS OF ACCOUNT AND RECORDS.—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 and 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 interest, determines, by regulation, to be necessary or appropriate for the enforcement of this Act; and 

(B) preserve the books and records described in paragraph (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, and as an agent of a foreign principal 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(a)); or


“(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—

(i) maintain, during the period of service as an agent of a foreign principal, all books of account and other records with respect to the following:

(A) the disclosure of which is required under 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.”;

(2) INCLUSION OF CRYPTO CURRENCY.—

Section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615) (as amended by paragraph (1)), 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,” and inserting “Within 3 years after the date of the application of section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615) (as amended by paragraph (1)), 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;”;

(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 CRYPTO CURRENCY.—

“(a) BOOKS OF ACCOUNT AND RECORDS.—

(1) REGULATIONS FOR BOOKS OF ACCOUNT AND RECORDS.—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 and 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 interest, determines, by regulation, to be necessary or appropriate for the enforcement of this Act; and 

(B) preserve the books and records described in paragraph (A) for a period of not less than 3 years after the date of significant.
(1) Quantum technology.
(2) 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) One member appointed by the Majority Leader of the Senate.
(B) One member appointed by the Minority Leader of the Senate.
(C) One member appointed by the Majority Leader of the House of Representatives.
(D) One member 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.

(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 regular employees who shall be required to perform the work of the Joint Committee under the direction of its Chair and Vice Chair. The Joint Committee shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be entitled to 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.

(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.

(d) 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. The Joint Committee shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be entitled to 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.

SEC. 6404. CONTROLLER GENERAL REPORT ON ASSISTANCE TO DEFENSE FOR INDUSTRIAL BASE POLICY.

Not later than 2 years after the confirmation of the first Assistant Secretary of Defense for Industrial Base Policy, the Joint Committee shall make recommendations for the preservation of critical technologies in the following tiers:

(1) 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).

(2) 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 nations in United States alliances 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.

(3) 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.

(4) Tier 4: Supply chains, inputs, raw materials, and labor that may be sourced without restriction.

SEC. 6405. ASSISTANCE TO DEFENSE FOR INDUSTRIAL BASE POLICY.

(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) Five members appointed by the Speaker of the House of Representatives.
(B) Five members appointed by the Majority Leader of the Senate and the latter serving as the Chair in each odd-numbered Congress and the former 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 regular employees who shall be required to perform the work of the Joint Committee under the direction of its Chair and Vice Chair.

(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.

(d) 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.

(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 matters dealt with by the Joint Committee, and make 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 ensure a crisis, unity-of-purpose, and common-frontier 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;

(6) consult with the Assistant Secretary of Defense for Industrial Base Policy in the execution of duties covered under this paragraph.

(f) TIRED SCHEDULE OF CRITICAL SUPPLY CHAINS.—
(1) IN GENERAL.—In consultation with the Assistant Secretary 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 least annually, 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 nations in United States alliances 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 may 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.

(g) POWERS.—The Joint Committee may hold hearings, sit and act at such times and places as the Chair or Vice Chair may determine by rule, and make such expenditures as it considers advisable.

(h) UNITED STATES ENTITY DEFINED.—In this subsection, the term "United States entity" means an entity—
(1) that 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)(4))), and
(2) that maintains its headquarters and the majority of its production facilities in the United States.

SEC. 6406. JOINT COMMITTEE ON DEFENSE PRODUCTION.

Not later than 2 years after the confirmation of the first Assistant Secretary of Defense for Industrial Base Policy, the Joint Committee shall make recommendations for the preservation of critical technologies in the following tiers:

(1) Tier 1: Supply chains, inputs, raw materials, and labor that may not be sourced from United States entities or entities owned and controlled by foreign nations in United States alliances 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 country listed on the list of countries that are subject to a countering demographic influence program, and for other purposes;

(D) designated 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 1038 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. 272 et seq.);

(v) section 221, 225, 226, 227, or 236 of the Atomic Energy Act of 1944 (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.);

(vii) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(viii) 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.

(i) UNITED STATES ENTITY DEFINED.—In this subsection, the term "United States entity" means an entity—

(1) that 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)(4))), and

(2) that maintains its headquarters and the majority of its production facilities in the United States.

SEC. 6407. COMPTROLLER GENERAL REPORT ON ASSISTANCE TO 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 1014(a) of the Defense Department Appropriations Act for Fiscal Year 2021 (Public Law 116–283), the Comptroller General of the United States, in consultation with the Joint Committee on Defense Production, and the House of Representatives, shall submit to 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. KAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1290, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish an additional national 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 resilience 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 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 fund 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, assistance, project preparation, pipeline development, and other infrastructure project support.

(2) JOINT INFRASTRUCTURE PROJECTS.—Funds from the Strategic Infrastructure Fund should be used in coordination with the Department of Defense, the International Development Finance Corporation, the Export-Import Bank, bilateral 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, technology security, and national security impacts of potential infrastructure projects, and for other purposes; which was ordered to lie on the table; as follows:

After section 2645, insert the following:

SEC. 2645A. RESTRICTIONS ON COMMERCIAL SMALLSAT DATA PROGRAM.

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

(1) Section 50115 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 commercial vendors.

(3) In 2019, the Administrator established the Commercial SmallSat Data Acquisition Pilot Program to identify, evaluate, and acquire data from small satellites 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; and

(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 inserting after such chapter the following:

‘‘60307. Commercial SmallSat Data program.’’.}

(S3299)
States Government and the People’s Republic of China, including the role of the Department of State in facilitating such cooperation; and

(2) 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, 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 events that were from, or significantly tied to, the Government of the People’s Republic of China or any entity described in subparagraph (B);

(D) any entity described in subparagraph (B).

(b) Review.—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.

(c) DURATION.—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 appropriate judgment, 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 relating to or aimed at facilitating the transfer of nuclear technology.

(e) REPORTS.—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 for other purposes; which was ordered

TIONS.—Aliens provided refugee status under the Immigration and Nationality Act (8 U.S.C. 1157) for admission to the United States under any other immigrant classification, or who are admitted as a special immigrant under section 245A of the Immigration and Nationality Act (8 U.S.C. 1227 (as in effect on the date of the enactment of this Act)), the spouses, children, and parents (as defined in section 203 (II) or (III) 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.

(c) ELIGIBILITY FOR ADMISSION AS 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 People’s Republic of China of the Department of Energy.

(2) I N 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; and

(ii) the Committee on Foreign Relations of the Senate.

(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.

(8) WAIVER OF IMMIGRANT STATUS PRESUMPTION.—In general.—The presumption under the first sentence of section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1182(b)) that every alien is an immigrant who is seeking to establish that the alien is entitled to nonimmigrant status shall not apply to an alien described in paragraph (2).

(2) ALIEN DESCRIBED.—

(i) 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; and

(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) 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; and

(ii) had an organizing role for such protests;

(iv) suffered harm while covering such protests as a journalist;

(A) provided paid or pro-bono legal services to 1 or more individuals arrested for participating in such protests; or

(B) was charge in the People’s Republic of China; or

(C) was detained or convicted on account of such political activity; or

(D) was expelled, deported, or removed from the United States on other grounds; or

(E) had an organizing role for such protests; or

(F) suffered harm while covering such protests as a journalist;
SEC. 2309. COMPUTING ENCLAVE PILOT PROGRAM.

(a) IN GENERAL.—The Director, in consulta-
tion with the National Science Foun-
dation, may establish a program to es-
tablish a new Directorate for Technology and Innovation, 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 fol-

(c) Regionalization.—

(1) In general.—In selecting institutions of higher education under subsection (b), 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, for 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.

(2) Duration.—The pilot program described in subsection (a) shall operate for not less than 5 years after the date of the enactment of this Act.

SEC. 3630. 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 shall submit a report to Congress on—

(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 de-
tail on guidance material and educational outreach to exporters on their reporting ob-
ligations under the Foreign Trade Regulations and the Export Administration Regulations; and
System, including the Electronic Export Information filing, by developing guidance materials specific to exports of aircraft;

(3) opportunities for improving the understanding of 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);

(4) plans to enhance coordination between the Bureau of Industry and Security, the Bureau of the Census, and other Federal agencies in 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) 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, the United Kingdom to discuss 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 Senate Select 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 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) to—

(A) conduct a strategic commercial, research, and development project or projects, including the development, testing, and deployment of key elements and interoperable equipment interfaces; and

(B) carry out a strategic planning project or projects, including the planning, design, and deployment of a multi-layered, secure, and resilient 5G communications architecture of the United States;

(2) the term ‘‘end-to-end solution’’ means—

(A) a complete, integrated network, including the core, radio access network, and inter-operable radio access network capable of operating in an efficient and effective manner; and

(B) the end-to-end solutions described in paragraph (1) to be proposed by 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) 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, 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 1902 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) to—

(A) conduct a strategic commercial, research, and development project or projects, including the development, testing, and deployment of key elements and interoperable equipment interfaces; and

(B) carry out a strategic planning project or projects, including the planning, design, and deployment of a multi-layered, secure, and resilient 5G communications architecture of the United States;

(2) the term ‘‘end-to-end solution’’ means—

(A) a complete, integrated network, including the core, radio access network, and inter-operable radio access network capable of operating in an efficient and effective manner; and

(B) the end-to-end solutions described in paragraph (1) to be proposed by 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) 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, shall seek to enter into negotiations with representatives from Australia, Canada, the European Union, Japan, New Zealand, South Korea, the United Kingdom to discuss 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 Senate Select 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 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. 2. EQUITY INVESTMENT BY THE SBIC PROGRAM.


(1) in section 302(a) (15 U.S.C. 632(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) licensed by the Administration to operate the facility established under subsection (b).’’;

(2) in subparagraph (A), by striking the period at the end and inserting ‘‘; or’’; and

(iii) by adding at the end the following:

‘‘(C) licensed by the Administration to operate the facility established under subsection (b).’’;

and

(2) in subparagraph (B), by striking the period at the end and inserting ‘‘; or’’; and

(iii) by adding at the end the following:

‘‘(C) licensed by the Administration to operate the facility established under subsection (b).’’;

(b) ESTABLISHMENT.—In this section—

‘‘(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

(iv) 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. 636).

‘‘(2) ELIGIBLE SMALL-BUSINESS CONCERN.—

The term ‘eligible small-business concern’ means a small-business concern that is designated as a qualified opportunity zone by section 3945 of the Internal Revenue Code of 1986.

‘‘(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.

(1) FACILITY.—The Administrator shall establish and carry out a facility to provide financial assistance to participating investment companies to make investments in covered businesses 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) REQUIRED INVESTMENTS.—For a license to operate as a small business investment company under section 303(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 not invest less than 50 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 100 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 100 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) 75 percent of the private capital of the company; or

(B) $75,000,000; or

(2) 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 Administrator shall—

(A) determine the rate of interest or fee to be paid by the company; and

(B) have sole discretion over the rate of 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 Administrator, the Administration shall be treated in the same manner as the most favored investor in the participating investment company.

(4) REGULATIONS.—The Administration shall issue such regulations as may be necessary to carry out this section.

(b) 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.

(b) REPEAL.—Section 303(g) of the Small Business Investment Act of 1958 (15 U.S.C. 638(g)) is repealed.

(c) EFFECT ON EXISTING PURCHASES.—The repeal of subsection (a) shall not be construed to require the Administrator of the Small Business Administration to cancel, revoke, withdraw, or otherwise affect 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. 2. 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:

‘‘(4) 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 (3) of this subsection shall be—

(A) organized and chartered under State law; or

(B) licensed by the Administrator 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 14002 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. 674(b)); and

(C) any census tract or other area that is treated as a low-income community or area under 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. 1. STEM RESEARCH GAINS.

The title may be called 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) The term “Director” means the Director of the National Science Foundation.

(3) FEDERAL SCIENCE AGENCY.—The term “Federal science agency” has the meaning given in the term in section 103(f) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6022(f)).

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” means—

(A) a public or private institution of higher education described in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

(B) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1070a));

(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. 1059e));

(F) a Predominantly Black Institution (as defined in section 318 of that Act (20 U.S.C. 1059g));

(G) an Asian American and Native American Pacific Islander-serving institution (as defined in section 320(b) of that Act (20 U.S.C. 1059h(b)));

(H) a Native American-serving, nontribal institution (as defined in section 319 of that Act (20 U.S.C. 1059i)).

(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, including women 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.

Title V—Expanding Pipeline Programs to Underrepresented Fields

Subtitle A—Expanding Pipeline Programs to Underrepresented Fields

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 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 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 492A(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 National Nanotechnology Initiative Experience 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 paragraph (1) of this 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 on the date of the report to increase the participation of individuals who are underrepresented in science and engineering, 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 in 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 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;

(3) an analysis of how the National Science Foundation can meet goals related to broadening participation of individuals from groups that are underrepresented in science and engineering by—

(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 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 described in section 402E(g).
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 to improve 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 cover the professional development expenses, during the period covered by that recipient’s award, and that will receive funds described in paragraph (2) on behalf of such student.

(i) A $2,000 professional development allowance, which shall be distributed annually as an aid stipend to the student;

(ii) A $15,000 per year and which shall be disbursed annually as an aid stipend to the student;

(iii) A $15,000 per year and which shall be adjusted annually for inflation.

(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, or otherwise meets the terms as 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 that has graduate degree programs in covered fields; 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.

(c) Application Review.—

(A) In General.—The Director shall establish a process for reviewing applications received from eligible students and determining which applications will be approved. As part of such process the Director shall establish an interdisciplinary panel of scientists, engineers, and other relevant professional graduates, or other relevant professional graduates, or other relevant professional graduates, or other relevant professional graduates, that will review the applications submitted and consider the broadening participation criteria described in subparagraph (b).

(B) Broadening Participation.—In determining which applications are approved the Director shall ensure that consideration is given to recipients who would broaden participation in the program, including:

(i) first-generation college students;

(ii) low-income individuals;

(iii) individuals underrepresented in science or engineering;

(iv) individuals for whom receiving a Pell Grant, women pursuing studies in institutions that will receive funds under this section, the Director shall ensure that consideration is given to applicants who are from minority-serving institutions.

(d) 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 fee, which shall be $15,000 per year and which shall be paid directly to the institution that is attending for the student’s tuition and fees; and

(C) a $2,000 professional development allowance, which shall be distributed annually as an aid stipend to the student.

(e) Additional Requirements.—

(1) Termination.—An individual participating in this section and receiving fellowship funds under this section shall terminate 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 the individual is completing a master’s or doctorate degree in a covered field and less than 3 years of funding had been distributed since the individual became a fellow; or

(2) Request to Change Schools or Programs or Suspend or Defer Participation.—A fellowship participant who wishes to change schools or programs or suspend or defer participation shall submit a request to the Director and must receive approval from the Director. No concurrent fellowship recipient shall 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 ap- propriated, $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) The number of awards that are available for up to a maximum 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.

(d) Duration.—The duration of awards made through the grant program shall not exceed 4 years.

(e) Use of Funds.—(1) 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 defined in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1070g)) for eligible students participating in training programs established under 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.

(f) Minimum Amount of 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—

(1) a United States citizen 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 in relation to the nation’s needs for developing specific workforce capacity and skills within a particular region of the country;

(4) the extent to which the proposed program 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 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—

(1) $250,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years.

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," to support 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) IN GENERAL.—Each individual who completes not less than 2 years of the 3-year 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—

(A) the individual's selected mentor and the mentor's agreement to participate in the program shall select a cohort of not less than 100 recommendations as an independent scientist.

(b) PROGRAM PARTICIPANTS.—

(1) IN GENERAL.—Eligible individuals who desire to participate in the National Security Research Fellowship 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 the program; and

(b) ELIGIBILITY.—An individual shall be eligible to participate in the program if the individual is a doctoral degree holder residing in the United States or is a post-doctoral researcher or early-career faculty (defined as a faculty researcher with a title of assistant professor or other non-tenured equivalent).

(c) 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; and

(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) individuals who are women and who hold positions from underrepresented fields.

(d) CONSIDERATION.—The Foundation shall select a cohort of not less than 100 eligible individuals. A grant to continuing participants (referred to in this section as “Rising Faculty”) for each year of the 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) BIENNIAL MEETINGS.—
(A) IN GENERAL.—The Foundation shall hold biennial 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 biennial 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.

(2) SECOND MEETING.—The Foundation shall hold a second meeting in the last quarter of the program year, which may include opportunities for networking, continuous 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 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 purpose 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. 23. 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, $600,000,000 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 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, and for private institutions, 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) prohibit 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) ATTENTION.—
(1) IN GENERAL.—An institution of higher education that submits an application for Federal funding under title I or title II of this division, or an amendment made by title I or title 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 attestation submitted under subsection (b).

(d) OFFICE OF INSPECTOR GENERAL REPORT.—Not later than one year after the date of enactment of this division, 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 under this division 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, 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—
(1) establish a regional technology hub program to support the use of hydrogen expertise, fuel farm, and testing platforms at the Stennis Space Center for testing any federally funded program or public-private partnership involving research in space exploration, space technology, and aeronautics.
(b) MAINTENANCE OF EXPERTISE.—The Administrator shall maintain the Stennis Space Center’s hydrogen expertise, fuel cell, 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 development and commercial applications 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 rockets); and

(2) aeronautics research and development.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, 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, demonstration, 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 411 and insert the following:

SEC. 411. 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. 412. 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 commercial trade in live mammalian or avian wildlife, or live wildlife species listed pursuant to section 3299A(2), is held, slaughtered, or sold for human consumption or for food or medicine, except for use as a pet, or for use as an ingredient in food, for religious or cultural purposes, or for use in human consumption; and

(B) does not include—

(i) markets in areas where no other practical alternative sources of protein or meat exist, such as small isolated villages 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 wildlife, or any species listed pursuant to section 3299A(2), for human consumption;

(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—

(1) traded in markets in countries with effective government enforcement of scientifically based, nationally implemented policies and legislation for processing, transport, trade, marketing; and

(2) 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 determine—

(1) the impact of physical proximity to and contact with 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 contact with wildlife markets pose to human health through 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 wildlife markets and products 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 to the Committee on Agriculture of the House of Representatives a report that—

(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 Organization for Animal Health (OIE), and the World Health Organization (WHO), together with leading non-governmental organizations, veterinary colleges, and the United States Agency for International Development (USAID), should continue to promote the paradigm shift that the integration of human health, animal health, agriculture, ecosystems, and the environment as an effective and integrated way to address the complex challenges of emerging diseases, and should support improved community health, biodiversity conservation, forest conservation and management, sustainable agriculture, and safety of livestock products 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 restocked to alternate protein and nutritional sources; and

(C) establish and effectively manage protected and conserved areas, particularly in countries with tropical forests for emerging diseases, including indigenous and community-conserved areas;
(3) respect the rights and needs of indigenous peoples and local communities dependent on such wildlife for nutritional needs and food security; and

(4) providing international cooperation by working with international partners through intergovernmental, international, and non-governmental organizations such as the United Nations, Interpol, and the World Health Organization.

(A) lead a resolution at the United Nations Security Council or General Assembly and World Health Assembly outlining the danger to human health from the 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 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 and raw or unprocessed wildlife parts and derivatives for human consumption; and

(D) improve the health standards implemented in markets around the globe, especially those specializing in the sale of products intended for human consumption.

SEC. 3299E. PREVENTION OF FUTURE ZOOIONTIC 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, intergovernmental entities, intergovernmental organizations, international, private sector partners, and nongovernmental organizations to carry out the following activities:

(I) close wildlife markets and prevent commercial wildlife trade, reducing wildlife habitat and raw or unprocessed wildlife parts and derivatives for human consumption, placing a priority focus on tropical countries with significant 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—

(aa) providing assistance to improve law enforcement and reduce demand for such wildlife products; and

(bb) urge increased enforcement of existing laws to encourage countries to—

(A) conserve, protect, and restore the integrity of such ecosystems;

(B) support the rights and needs of indigenous peoples and local communities and their ability to continue their effective stewardship of their traditional lands and territories;

(C) establish the effective management of protected areas, prioritizing highly intact areas;

(D) prevent activities that result in the destruction, degradation, fragmentation, or loss of forests and other intact ecosystems and biodiversity strongholds, including by governments, private sector entities, and multilateral development financial institutions.

(b) activities.

(1) GLOBAL COOPERATION.—The United States Government, working through the United Nations and its components, as well as international organizations such as Interpol and the World Organisation for Animal Health, and in furtherance of the policies described in section 3299D, shall—

(A) collaborate 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 encourage countries to—

(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—

(aa) providing assistance to improve law enforcement and reduce demand for such wildlife products; and

(bb) urge increased enforcement of existing laws to encourage countries to—

(A) conserve, protect, and restore the integrity of such ecosystems;

(B) support the rights and needs of indigenous peoples and local communities and their ability to continue their effective stewardship of their traditional lands and territories;

(C) establish the effective management of protected areas, prioritizing highly intact areas;

(D) prevent activities that result in the destruction, degradation, fragmentation, or loss of forests and other intact ecosystems and biodiversity strongholds, including by governments, private sector entities, and multilateral development financial institutions.

(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 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 shutdown 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 commercial trade in live wildlife for the purpose of human consumption.

(D) Engaging and receiving guidance from key stakeholders at the international, 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 international norms.

(3) AUTHORIZATION OF IMPOSITION OF SANCTIONS.

(A) FINDING AND REPORT REQUIRED.—

(1) In general.—The Secretary of State shall submit to the President a report to the President under clause (i), Secretary of Health and Human Services, the Secretary of Agriculture, 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.

(B) PENALTIES.—After receiving a report under subparagraph (A), 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. 1301(8))) or pursuant to any other multilateral trade agreements as defined in section 2(4) of the Uruguay Round Agreements Act (19 U.S.C. 1301(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, a national described in subparagraph (A)(i)(II).

(ii) Exception to comply with international obligations and for law enforcement.—The President may direct the Secretary of State to deny a visa to, or exclude from the United States, a national described in subparagraph (A)(i)(II) if the President determines that the denial of the visa would be consistent with any international obligation that apply with respect to an individual if admitting or paroling the individual into the United States would frustrate a law enforcement activity in the United States.

(b) 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 were within the possession or control of a United States person.

(c) Prevention of access to international payments networks.—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.

(d) Notification to Congress.—Not later than 15 days after a report is submitted 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.

(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 on—

(i) describing the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described 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 in ending wildlife trafficking; and

(iv) the impact and effectiveness of international cooperation in combatting wildlife trafficking; and

(B) Form.—The report required under this paragraph shall be submitted in unclassified form.

(2) Staffing requirements.—The Administrator of the United States Agency for International Development is authorized to administer, manage, and provide staffing to achieve the purposes of this section, including hiring of qualified personnel—

(i) as appropriate, is authorized to hire additional personnel; and

(ii) within the possession or control of a United States person.

(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.

(4) 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.

(a) To undertake programs aimed at reducing the risks of endemic and emerging infectious diseases and exposure to antimicrobial resistant pathogens.

(b) To provide administrative support and resources to ensure effective and efficient coordination, monitoring, opportunities and sharing of expertise from relevant USAID bureaus and programs, including emerging pandemic threats;

(c) To award funding to on-the-ground projects;

(d) To provide project oversight to ensure accountability and transparency in all phases of the award process; and

(e) To undertake additional activities under this subtitle.

(f) 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 on—

(i) describing the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described 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 ending wildlife trafficking;

(iv) the impact and effectiveness of international cooperation in ending wildlife trafficking; and

(v) the impact and effectiveness of international cooperation in combatting wildlife trafficking; and

(B) Form.—The report required under this paragraph shall be submitted in an 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

(i) describe the activities carried out or assisted by law enforcement or 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, to achieve the purposes of this section;

(ii) specify the activities carried out or assisted by law enforcement or 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, to achieve the purposes of this section, including hiring of additional personnel;

(iii) describe the activities carried out or assisted by law enforcement or 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, to achieve the purposes of this section, including hiring of additional personnel;

(iv) report to the President under subparagraph (A)(i) with respect to a country no longer exist, the Secretary may exercise all of the powers granted to the Secretary under this section, including hiring of additional personnel; and

(v) describe the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described from the study required by section 3299B and the provision of United States technical assistance;

(vi) describe the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described from the study required by section 3299B and the provision of United States technical assistance;

(vii) describe the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described from the study required by section 3299B and the provision of United States technical assistance;

(viii) describe the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described from the study required by section 3299B and the provision of United States technical assistance;

(ix) describe the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described from the study required by section 3299B and the provision of United States technical assistance;

(x) report to the President under subparagraph (A)(i) with respect to a country no longer exist, the Secretary may exercise all of the powers granted to the Secretary under this section, including hiring of additional personnel; and

(xi) describe the actions taken pursuant to this subtitle, including through the application of financial and alternative approaches described from the study required by section 3299B and the provision of United States technical assistance;
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 33 the following new section:

SEC. 3311. GLOBAL ZOOECTIC 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—
(1) ensure an integrated approach across the Federal Government and globally to the prevention of, early detection of, preparedness for, and response to, zoonotic spill over 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 enactment of this Act, develop and publish, on a publicly accessible website, a plan for global zoonotic and zoonotic disease prevention and response that leverages expertise in public health, consumer education and communication, behavior change, wildlife health, veterinary health, 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, early detection of, preparedness for, and response 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 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 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:
(I) One permanent person 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:
(ii) The Department of Agriculture.
(iii) The Department of Defense.
(iv) The Department of the Interior.
(v) The Department of State.
(vi) The National Institutes of Health.
(vii) The National Institute of Standards and Technology.
(viii) The Office of Science and Technology Policy.

SEC. 3299H. GLOBAL ZOOECTIC DISEASE TASK FORCE.
(a) ESTABLISHMENT.—There is established a task force to be known as the “Global Zoonotic Disease Task Force”.

SEC. 3299J. FUNDING.—There is authorized to be appropriated to carry out section 3310, United States Code, $150,000,000 for each of fiscal years 2021 through 2030.
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 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) FAC A.—Section 10(a)(2)(B) of the Federal Acquisition Act shall not apply to the Task Force. This task force shall be authorized for 7 years after the enactment of this Act and 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 trade 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.


(1) in section 301(c) (15 U.S.C. 681(c)), by adding at the end the following:

"(5) MICROCAP SF ALL BUSINESS INVESTMENT COMPANY LICENSE.—"

"(A) IN GENERAL.—Notwithstanding any other provision of law, the Administrator may not approve an application and issue no 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 paragraphs (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 107.306 of title 13, Code of Federal Regulations, or 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;

(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—

(1) other microcap companies, as that term is defined in section 45D(e) of the Internal Revenue Code of 1986;

(1) a community that has been designated as a qualified opportunity zone under section 14003–2 of the Internal Revenue Code of 1986;

(II) businesses primarily engaged in research and development;

(IV) manufacturers;

(2) businesses primarily owned or controlled by underserved communities before receiving capital from the applicant; and

(V) businesses primarily engaged in research and development and are located in an underlicensed state;

(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 an application is submitted to the Administrator, provide complete feedback with respect to any pre-license application requirements applicable to the applicant;

(ii) not later than 90 days after the date on which the application is submitted to the Administrator;

(iii) not later than 90 days after the date on which the application is resubmitted to the Administrator;

(iv) approve the application and issue a license for such operation to the applicant, if the requirements for the license are satisfied; or

(v) based upon facts in the record—

(aa) disapprove the application; and

(bb) provide the applicant with—

(1) a clear, written explanation of the reason for the disapproval; and

(2) 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 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 not have fewer than 2 independent members on the Investment Committee of the company in a manner that complies with the following requirements:

(1) The independent members of the Investment Committee have been licensed managers of small business investment companies within the preceding 10-year period.

(2) 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.

(II) The independent members of the Investment Committee are required to approve each investment made by the company.

(III) 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.

(f) FACA.—Section 14(a)(2)(B) of the Federal Advisory Committee Act of 1972 (5 U.S.C. 552(c)), as amended, with respect to an application for a license submitted to the Administrator, 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 later than 90 days after the date on which the application is submitted to the Administrator;

(iii) not later than 90 days after the date on which the application is resubmitted to the Administrator;

(iv) approve the application and issue a license for such operation to the applicant, if the requirements for the license are satisfied; or

(v) based upon facts in the record—

(aa) disapprove the application; and

(bb) provide the applicant with—

(1) a clear, written explanation of the reason for the disapproval; and

(2) 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.

(g) 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.

(h) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall 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 are 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(1)(b) of division B, after paragraph (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 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 preparedness and response capabilities and domestic biopharmaceutical manufacturing capabilities.

SA 1919. 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 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 B, 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 in 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 moneymaking investment, in an amount that exceeds an amount determined by the Director, directly or indirectly—
(1) to—
(A) the Chinese Communist Party;
(B) any person or entity 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) Biomedical.
(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 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)(1)) relating to copyrights, patents, industrial design, or undisclosed data for COVID-19 vaccines.

(b) Definitions.—In this section, the terms ‘Ministerial Conference’ and ‘General Council’ mean those terms in section 121 of the Uruguay Round Agreements Act (19 U.S.C. 3531).