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

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON CERTAIN HUMAN-ANIMAL CHIMERAS.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 51 the following:

"CHAPTER 52—CERTAIN TYPES OF HUMAN-ANIMAL CHIMERAS PROHIBITED

''Sec.
''1131. Definitions.
''1132. Prohibition on human-animal chimeras.

"§ 1131. Definitions

''In this chapter:

''(1) HUMAN EMBRYO.—The term 'human embryo' means an organism of the species Homo sapiens during the earliest stages of development, from 1 cell up to 8 weeks after conception.

''(2) PROHIBITED HUMAN-ANIMAL CHIMERA.—The term 'prohibited human-animal chimera' means—

''(A) a human embryo into which a nonhuman cell or cells (or the component parts thereof) have been introduced to render the embryo's membership in the species Homo sapiens uncertain;

''(B) a human-animal embryo produced by fertilizing a human egg with nonhuman sperm;

''(C) a human-animal embryo produced by fertilizing a nonhuman egg with human sperm;

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

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

''(F) an embryo containing at least haploid sets of chromosomes from both a human and a nonhuman life form;

''(G) a nonhuman life form engineered such that human gametes develop within the body of a nonhuman life form;

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

''(I) nonhuman life form engineered such that it exhibits human facial features or other bodily morphologies to resemble human features; or

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

''(i) human gametes develop within the body of the resultant organism;

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

''(iii) it exhibits human facial features or other bodily morphologies to resemble human features.

"§ 1132. Prohibition on certain human-animal chimeras

''(a) IN GENERAL.—It shall be unlawful for any person to knowingly, in or otherwise affecting interstate commerce—

''(1) create or attempt to create a prohibited human-animal chimera;

''(2) transfer or attempt to transfer a human embryo into a nonhuman womb;

''(3) transfer or attempt to transfer a nonhuman embryo into a human womb; or

''(4) transport or receive for any purpose a prohibited human-animal chimera.

''(b) PENALTIES.—

''(1) IN GENERAL.—Whoever violates subsection (a) shall be fined under this title, imprisoned not more than 10 years, or both.

''(2) CIVIL PENALTY.—Whoever violates subsection (a) shall be subject to a civil fine of the greater of—

''(A) $1,000,000; or

''(B) the amount equal to twice the amount of the gross pecuniary gain, if any.

''(c) RULE OF CONSTRUCTION.—This section does not prohibit research involving the use of transgenic animal models containing human genes or transplantation of human organs, tissues, or cells into recipient animals, if such activities are not prohibited under subsection (a).''.

(b) TECHNICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 51 the following:

"52. Certain types of human-animal chimeras prohibited 1131.".

SA 1772. Mr. LANKFORD (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONGRESSIONAL REVIEW PROCEDURES FOR WAIVER OF OBLIGATIONS WITH RESPECT TO VACCINES OR OTHER BIOTECHNOLOGY COMMODITIES UNDER THE AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS.

Section 122 of the Uruguay Round Agreements Act (19 U.S.C. 3532) is amended by adding at the end the following:

''(e) APPROVAL BY CONGRESS OF CERTAIN WAIVERS WITH RESPECT TO VACCINES OR OTHER BIOTECHNOLOGY COMMODITIES.—

''(1) IN GENERAL.—A waiver described in paragraph (2) granted under subsection (b)(2) shall not enter into force with respect to the United States, and no funds shall be used by the Secretary of Commerce, the Secretary of Health and Human Services, or the Trade Representative to implement the terms of that waiver, unless—

''(A) the President submits the text of the proposed waiver agreement to the appropriate congressional committees; and

''(B) a joint resolution is enacted approving the waiver not later than 180 days after the later of the date on which—

''(i) the report under subsection (c)(2)(A) with respect to that waiver is submitted; or

''(ii) the text of the proposed waiver agreement under subparagraph (A) is submitted.

''(2) WAIVER DESCRIBED.—A waiver described in this paragraph is a waiver of certain provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) for a vaccine or other biotechnology commodity.

''(3) INTRODUCTION AND REFERRAL OF JOINT RESOLUTION.—A joint resolution under paragraph (1)(B) may be introduced by any member of Congress and shall be referred—

''(A) in the Senate, to the Committee on Finance; and

''(B) in the House of Representatives, to the Committee on Ways and Means.''.

SA 1773. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROCESS FOR EXCLUDING ARTICLES IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA FROM CERTAIN DUTIES IMPOSED UNDER SECTION 301 OF THE TRADE ACT OF 1974.

(a) ESTABLISHMENT OF EXCLUSION PROCESS.—Notwithstanding any other provision of law, the President shall establish, in consultation with the United States International Trade Commission (in this section referred to as the ''Commission''), a process pursuant to which United States entities and associations of such entities may request the exclusion of articles imported from the People's Republic of China from duties described in subsection (b).

(b) DUTIES DESCRIBED.—The duties described in this subsection are duties imposed on or after September 24, 2018, pursuant to the investigation—

(1) initiated under section 301 of the Trade Act of 1974 (19 U.S.C. 2411) on August 18, 2017; and

(2) with respect to which notice was published in the Federal Register on August 24, 2017 (82 Fed. Reg. 40213).

(c) IMPLEMENTATION OF EXCLUSION PROCESS.—In implementing the process established under subsection (a), the President shall exclude from the imposition of a duty described in subsection (b) an article imported from the People's Republic of China if the President determines—

(1)(A) the article is not commercially available (as defined by the Commission) outside of the People's Republic of China, or is not produced outside of the People's Republic of China at a cost-competitive price at commercial scale;

(B) the imposition of the duty on the article would increase consumer prices for day-to-day items consumed by low- or middle-income families in the United States; or

(C) the article has not been found by a Federal agency to have directly benefited from the non-market-based policies of the People's Republic of China, including elements of the Made in China 2025 policy; and

(2) the exclusion of the article can likely be administered by U.S. Customs and Border Protection.

(d) DETERMINATION OF INCREASED CONSUMER PRICES.—The President shall determine under subsection (c)(1)(B) that the imposition of a duty would increase consumer prices for day-to-day items consumed by low- or middle-income families in the United States if imposition of the duty would cause an increase in—

(1) the cost of an article listed in Appendix 1 to chapter 17 of the Handbook of Methods of the Bureau of Labor Statistics of the Department of Labor, dated February 14, 2018; or