

SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2106. Mr. RUBIO (for himself, Mr. CARDIN, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2107. 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.

#### TEXT OF AMENDMENTS

**SA 2091.** Mr. BARRASSO (for himself, Ms. MURKOWSKI, Ms. LUMMIS, Mr. LANKFORD, Mr. CRAMER, Mrs. HYDE-SMITH, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1527 proposed by Ms. CANTWELL to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and 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 lieu of the matter proposed to be inserted, insert the following:

#### **SEC. 2405. GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.**

(a) IN GENERAL.—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.

(b) CERTIFICATION SCHEME.—The Secretary shall seek to ensure that the framework under subsection (a) includes a certification scheme, comprised of—

(1) minimum requirements for national legislation, institutions, and import and export controls related to the sourcing of critical minerals;

(2) measures to enforce transparency in the exchange of production, transportation, and end-use manufacturing data related to critical minerals, including through the use of blockchain technology, if feasible;

(3) prohibitions on the purchase or trade in critical minerals unless parties to the purchase or trade are certified under and in compliance with the framework; and

(4) measures to certify shipments as in compliance with the framework, including requiring the provision of supporting documentation.

(c) IMPLEMENTATION REPORT.—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.

(d) REVIEW OF CONFLICT MINERALS LIST.—The Secretary shall review the list of conflict minerals under section 1502(e)(4) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203; 124 Stat. 228) to determine whether certain

critical minerals, such as cobalt, should be included on the list.

(e) CRITICAL MINERAL DEFINED.—In this section, the term “critical mineral” has the meaning given the term in section 7002(a) of the Energy Act of 2020 (division Z of Public Law 116-260; 30 U.S.C. 1606(a)).

**SA 2092.** Mr. BARRASSO (for himself, Ms. MURKOWSKI, Ms. LUMMIS, Mr. LANKFORD, Mr. CRAMER, Mrs. HYDE-SMITH, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1527 proposed by Ms. CANTWELL to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and 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 1 of the amendment, strike line 1 and insert the following:

#### **SEC. \_\_\_\_ . GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.**

(a) IN GENERAL.—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.

(b) CERTIFICATION SCHEME.—The Secretary shall seek to ensure that the framework under subsection (a) includes a certification scheme, comprised of—

(1) minimum requirements for national legislation, institutions, and import and export controls related to the sourcing of critical minerals;

(2) measures to enforce transparency in the exchange of production, transportation, and end-use manufacturing data related to critical minerals, including through the use of blockchain technology, if feasible;

(3) prohibitions on the purchase or trade in critical minerals unless parties to the purchase or trade are certified under and in compliance with the framework; and

(4) measures to certify shipments as in compliance with the framework, including requiring the provision of supporting documentation.

(c) IMPLEMENTATION REPORT.—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.

(d) REVIEW OF CONFLICT MINERALS LIST.—The Secretary shall review the list of conflict minerals under section 1502(e)(4) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203; 124 Stat. 228) to determine whether certain critical minerals, such as cobalt, should be included on the list.

(e) CRITICAL MINERAL DEFINED.—In this section, the term “critical mineral” has the meaning given the term in section 7002(a) of the Energy Act of 2020 (division Z of Public Law 116-260; 30 U.S.C. 1606(a)).

**SA 2093.** Mr. LEAHY (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. \_\_\_\_ . OWNERSHIP AND ASSIGNMENT OF PATENTS.**

(a) IN GENERAL.—Section 261 of title 35, United States Code, is amended—

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

“(a) IN GENERAL.—

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

“(2) REGISTER OF ASSIGNMENTS AND OWNERSHIP.—The Patent and Trademark Office shall maintain a publicly accessible register of interests in patents and applications for patents and shall record any document related thereto upon request, and may require a fee therefor.

“(3) REQUIREMENT TO RECORD CERTAIN ASSIGNMENTS.—

“(A) IN GENERAL.—Whenever all substantial rights in a patent are assigned to a person, including a legal or governmental entity or a parent corporation—

“(i) the patentee shall, not later than 90 days after the date of the assignment, submit a request described in paragraph (2) with respect to the assignment; and

“(ii) the Patent and Trademark Office shall, upon receiving the request submitted under clause (i), record the assignment in the register described in paragraph (2).

“(B) EFFECT OF FAILURE TO COMPLY.—No party may recover, for infringement of the patent in any litigation, increased monetary damages under section 284 for the period that such assignment was not properly requested to be recorded under subparagraph (A)(i).

“(C) RULES.—The Director may prescribe rules to implement this paragraph, including rules for the proper recording of the assignments of patents.”;

(2) in the first undesignated paragraph following subsection (a), as so designated by paragraph (1) of this subsection, 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 subsection, by striking “A certificate” and inserting the following:

“(c) CERTIFICATE OF ACKNOWLEDGMENT.—A certificate”;

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

“(d) EFFECT OF ASSIGNMENT.—An interest”.

(b) EFFECTIVE DATE; APPLICABILITY.—The amendments made by subsection (a) shall—

(1) take effect on the date that is 1 year after the date of enactment of this Act; and

(2) apply with respect to any assignment that occurs on or after the effective date described in paragraph (1).

**SA 2094.** Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1525 submitted by

Mr. BARRASSO and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and 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 lieu of the matter proposed to be inserted, insert the following:

**SEC. 3219L. IMPOSITION OF SANCTIONS WITH RESPECT TO NORD STREAM 2.**

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall—

(1) impose sanctions under subsection (b) with respect to—

(A) Nord Stream 2 AG or a successor entity;

(B) Matthias Warnig; and

(C) any other corporate officer of or principal shareholder with a controlling interest in Nord Stream 2 AG or a successor entity; and

(2) impose sanctions under subsection (c) with respect to—

(A) Nord Stream 2 AG or a successor entity; and

(B) Matthias Warnig.

(b) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE OF IDENTIFIED PERSONS AND CORPORATE OFFICERS.—

(1) IN GENERAL.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(1) IN GENERAL.—The visa or other entry documentation of an alien described in subsection (a)(1) shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) BLOCKING OF PROPERTY OF IDENTIFIED PERSONS.—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person described in subsection (a)(2) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Eco-

nomics Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under this section shall not apply with respect to the admission of an alien to the United States if the admission of the alien is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—Notwithstanding any other provision of this section, the authorities and requirements to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(f) SUNSET.—The authority to impose sanctions under this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person within the United States.

**SA 2095.** Ms. COLLINS (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill H.R. 3233, to establish the National Commission to Investigate the January 6 Attack on the United States Capitol Complex, and for other purposes; which was ordered to lie on the table; as follows:

On page 14, strike line 10 and all that follows through line 13 on page 15 and insert the following:

**SEC. 7. STAFF OF COMMISSION.**

(a) APPOINTMENT.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Chairperson and Vice-Chairperson, in accordance with the rules agreed upon by the Commission, shall jointly appoint and fix the compensation of a Staff Director and such other personnel as may be necessary to enable the Commission to carry out its purposes and functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to

the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.)—

(i) the Commission shall be considered an employing office; and

(ii) the personnel of the Commission shall be considered covered employees.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not apply to members of the Commission.

(3) AUTHORIZATION OF SEPARATE STAFF.—

(A) IN GENERAL.—In the event the Chairperson and Vice-Chairperson do not jointly appoint and fix the compensation of staff pursuant to paragraph (1) by the date that is 10 days after the initial meeting of the Commission under section 5(b)(3), the Chairperson and Vice-Chairperson are authorized to appoint and fix the compensation of separate staff with any funds provided to carry out paragraph (1), allocated equally between the Chairperson and Vice-Chairperson.

(B) ALLOCATION.—If separate staff are appointed pursuant to subparagraph (A)—

(i) funding for experts and consultants procured in accordance with subsection (b) shall be allocated equally between the Chairperson and Vice-Chairperson; and

(ii) personnel detailed in accordance with subsection (c) shall be detailed in equal numbers to the Chairperson and the Vice-Chairperson.

On page 17, line 13, strike “60-day” and insert “30-day”.

On page 17, line 17, strike “60-day” and insert “30-day”.

**SA 2096.** 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 SECURE COMMUNICATIONS FUND.**

(a) DEFINITIONS.—In this section—

(1) the term “eligible company” means a United States-headquartered company that demonstrates a likelihood of being able to use a grant awarded under subsection (b) to achieve the goal described in subsection (c);

(2) the term “end-to-end solution” means the components and software necessary to deploy a complete, integrated wireless communications network, including the core, radio access network, and interoperable equipment interfaces;

(3) the term “Open RAN” means open, interface standards-based compatible, interoperable radio access network architectures, such as equipment and software developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, the Third Generation Partnership Project (commonly known as

“3GPP”), the Open-RAN Software Community, or any successor organizations;

(4) the term “Secretary” means the Secretary of Commerce; and

(5) the term “United States-headquartered company” means a company or other business entity that, as determined by the Secretary—

(A) conducts a significant level of its research, development, engineering, manufacturing, integration, services, and information technology activities in the United States; and

(B) is a company or other business entity the majority ownership or control of which is by United States citizens.

(b) GRANT PROGRAM.—The Secretary, acting through the Assistant Secretary of Commerce for Communications and Information, and in consultation with the Federal Communications Commission, shall carry out a grant program to achieve the goal described in subsection (c).

(c) GOAL.—A grant awarded under subsection (b) shall be designed to accelerate the development and deployment by an eligible company of secure, end-to-end solutions for wireless communications utilizing Open RAN technologies in order to enhance the safety and security of the telecommunications architecture of the United States.

(d) MAXIMUM GRANT AMOUNT.—The amount of a grant awarded to an eligible company under subsection (b) may not exceed \$100,000,000 per year.

(e) RELATION TO PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND.—The grant program carried out under subsection (b) shall be separate from the Public Wireless Supply Chain Innovation Fund established under section 9202(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) and the amounts appropriated for that Fund under section 1003 of this Act.

**SA 2097.** Mr. MERKLEY (for himself, Mr. RUBIO, Mr. ROMNEY, and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 3314. SENSE OF CONGRESS ON THE SELECTION OF HOST CITIES FOR THE OLYMPIC GAMES.**

It is the sense of Congress that—

(1) the International Olympic Committee should never entertain a proposal to host the Olympic Games from a nation that engages in genocide, crimes against humanity, or serious violations of internationally recognized human rights; and

(2) if the International Olympic Committee awards the honor of hosting the Olympic Games to a nation after the date of enactment of this Act and that nation subsequently engages in genocide, crimes against humanity, or serious violations of internationally recognized human rights, the International Olympic Committee should meet and reassign the honor of hosting the Olympic Games to another nation.

**SA 2098.** Mr. KING submitted an amendment intended to be proposed to

amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and 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. PRIORITIZATION AND PROTECTION OF INTERNATIONAL RESEARCH.**

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

(b) ESTABLISHMENT OF SECURITY PROCEDURES.—The Secretary of State, in consultation with the individuals and entities listed in subsection (a), shall collaborate with similar entities in the countries appearing on the list created pursuant to subsection (a) to develop, coordinate, and agree to general security policies and procedures, 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 2099.** Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1861 submitted by Mr. HOEVEN and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and 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 1, line 3, strike “storage,” and insert “storage, advanced fossil (hydrocarbon) energy,”.

**SA 2100.** Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1861 submitted by Mr. HOEVEN and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to

require a strategy and report on economic security, science, research, innovation, manufacturing, and 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 1, line 3, strike “storage,” and insert “storage, advanced hydrocarbon energy,”.

**SA 2101.** Mr. BARRASSO (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 3314. GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.**

(a) IN GENERAL.—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.

(b) CERTIFICATION SCHEME.—The Secretary shall seek to ensure that the framework under subsection (a) includes a certification scheme, comprised of—

(1) minimum requirements for national legislation, institutions, and import and export controls related to the sourcing of critical minerals;

(2) measures to enforce transparency in the exchange of production, transportation, and end-use manufacturing data related to critical minerals, including through the use of blockchain technology, if feasible;

(3) prohibitions on the purchase or trade in critical minerals unless parties to the purchase or trade are certified under and in compliance with the framework; and

(4) measures to certify shipments as in compliance with the framework, including requiring the provision of supporting documentation.

(c) IMPLEMENTATION REPORT.—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.

(d) EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE AND CERTAIN PROVISIONS OF THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—Nothing in this section shall—

(1) affect the authority of the President to take any action to join and subsequently comply with the terms and obligations of the Extractive Industries Transparency Initiative (EITI); or

(2) affect section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 78m note), or subsection (q) of section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m), as added by section 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public

Law 111-203; 124 Stat. 2220), or any rule prescribed under either such section.

(e) **CRITICAL MINERAL DEFINED.**—In this section, the term “critical mineral” has the meaning given the term in section 7002(a) of the Energy Act of 2020 (division Z of Public Law 116-260; 30 U.S.C. 1606(a)).

**SA 2102.** Mr. KENNEDY 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. \_\_\_\_ . TRADING PROHIBITION FOR NON-INSPECTION YEAR.**

Section 104(i) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214(i)) is amended—

(1) in paragraph (2)(A)(ii), by striking “the foreign jurisdiction described in clause (i)” and inserting “a foreign jurisdiction”; and

(2) in paragraph (3)—

(A) in the paragraph heading, by striking “3 YEARS OF NON-INSPECTIONS” and inserting “NON-INSPECTION YEAR”; and

(B) in subparagraph (A), in the matter preceding clause (i), by striking “3 consecutive non-inspection years” and inserting “a non-inspection year”.

**SA 2103.** Mr. MERKLEY (for himself, Mr. RUBIO, Mr. ROMNEY, and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 3314. SENSE OF CONGRESS ON SELECTION OF HOST CITIES FOR THE OLYMPIC GAMES.**

It is the sense of Congress that—

(1) the International Olympic Committee should never entertain a proposal to host the Olympic Games from a country that engages in genocide, crimes against humanity, or serious violations of internationally recognized human rights; and

(2) if, after the date of the enactment of this Act, the International Olympic Committee awards the honor of hosting the Olympic Games to a country that subsequently engages in genocide, crimes against humanity, or serious violations of internationally recognized human rights, the International Olympic Committee should meet and reassign such honor to another country.

**SA 2104.** Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish

a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and 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 E, add the following:

**SEC. 5311. REPORT ON FOREIGN INVESTMENT FROM THE PEOPLE'S REPUBLIC OF CHINA IN PHARMACEUTICAL INDUSTRY.**

(a) **IN GENERAL.**—Not later than 4 years after the date of the enactment of this Act, the Federal Trade Commission and the Commissioner of Food and Drugs, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees, the Secretary of Health and Human Services, and the Committee on Foreign Investment in the United States a report on foreign investment from the People's Republic of China in the pharmaceutical industry of the United States.

(b) **ELEMENTS.**—The report required by subsection (a) shall include an assessment of—

(1) the supply chain of the pharmaceutical industry of the United States and the effect of concentration and reliance on manufacturing in the People's Republic of China within that industry;

(2) the effect of foreign investment from the People's Republic of China in the pharmaceutical industry of the United States on domestic capacity to produce drugs and active and inactive ingredients of drugs;

(3) the effect of foreign investment from the People's Republic of China in technologies or other products for sequencing or storage of DNA, including genome and exome analysis, in the United States, including the effect of such investment on the capacity to sequence or store DNA in the United States; and

(4) the value and feasibility of providing additional reports every 4 years to Congress on the matters described in paragraphs (1), (2), and (3), for the purposes of strengthening the domestic capacity of the United States to produce drugs and active and inactive ingredients of drugs.

(c) **PREVENTING DUPLICATION.**—The Federal Trade Commission, the Commissioner of Food and Drugs, and the Secretary of Commerce shall consult with other Federal agencies to prevent the duplication of reporting on the domestic drug supply chain in the development of the report required by subsection (a).

(d) **AUTHORITY.**—The Federal Trade Commission shall have authority under section 6 of the Federal Trade Commission Act (15 U.S.C. 46) to conduct the studies required to prepare the report required by subsection (a).

(e) **PUBLICATION.**—The Federal Trade Commission shall publish an unclassified summary of the report required by subsection (a) on a publicly available internet website of the Commission.

(f) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(2) the Committee on Financial Services, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**SA 2105.** Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and 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. ENHANCING CYBERSECURITY EDUCATION.**

(b) **CYBERSECURITY EDUCATION GRANT PROGRAM.**—

(1) **AUTHORIZATION.**—The Director shall—

(A) award grants to assist Historically Black Colleges and Universities, minority-serving institutions, and institutions of higher education that have an enrollment of needy students (as defined in section 312(d) of the Higher Education Act of 1965 (20 U.S.C. 1058(d))) to establish or expand cybersecurity programs, to build and upgrade institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities, and to support such institutions on the path to producing qualified entrants in the cybersecurity workforce or becoming a National Center of Academic Excellence in Cybersecurity through the program carried out by the National Security Agency and the Department of Homeland Security; and

(B) award grants for a 5-year pilot period to build capacity to eligible Historically Black Colleges and Universities, minority-serving institutions, and public institutions of higher education that have an enrollment of needy students (as defined in section 312(d) of the Higher Education Act of 1965 (20 U.S.C. 1058(d))) to expand cybersecurity education opportunities, cybersecurity technology and programs, cybersecurity research, and cybersecurity partnerships with public and private entities.

(2) **APPLICATIONS.**—An eligible institution seeking a grant under paragraph (1) shall submit an application to the Director at such time, in such manner, and containing such information as the Director may reasonably require, including a statement of how the institution will use the funds awarded through the grant to expand cybersecurity education opportunities at the eligible institution.

(3) **ACTIVITIES.**—An eligible institution that receives a grant under this section may use the funds awarded through such grant for increasing research, education, technical, partnership, and innovation capacity, including for—

(A) building and upgrading institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities; and

(B) building and upgrading institutional capacity to provide hands-on research and training experiences for undergraduate and graduate students.

**SA 2106.** Mr. RUBIO (for himself, Mr. CARDIN, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

**Subtitle C—South China Sea and East China Sea Sanctions Act**

**SEC. 5221. SHORT TITLE.**

This subtitle may be cited as the “South China Sea and East China Sea Sanctions Act of 2021”.

**SEC. 5222. SANCTIONS WITH RESPECT TO CHINESE PERSONS RESPONSIBLE FOR CHINA'S ACTIVITIES IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.**

(a) **INITIAL IMPOSITION OF SANCTIONS.**—On and after the date that is 120 days after the date of the enactment of this Act, the President may impose the sanctions described in subsection (b) with respect to any Chinese person, including any senior official of the Government of the People's Republic of China, that the President determines—

(1) is responsible for or significantly contributes to large-scale reclamation, construction, militarization, or ongoing supply of outposts in disputed areas of the South China Sea;

(2) is responsible for or significantly contributes to, or has engaged in, directly or indirectly, actions, including the use of coercion, to inhibit another country from protecting its sovereign rights to access offshore resources in the South China Sea, including in such country's exclusive economic zone, consistent with such country's rights and obligations under international law;

(3) is responsible for or complicit in, or has engaged in, directly or indirectly, actions 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 for or on behalf of, directly or indirectly, any person subject to sanctions pursuant to paragraph (1), (2), or (3).

(b) **SANCTIONS DESCRIBED.**—The sanctions that may be imposed with respect to a person described in subsection (a) are the following:

(1) **BLOCKING OF PROPERTY.**—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.**—

(A) **VISAS, ADMISSION, OR PAROLE.**—In the case of an alien, the alien may be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) **CURRENT VISAS REVOKED.**—

(i) **IN GENERAL.**—An alien described in subparagraph (A) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) **IMMEDIATE EFFECT.**—A revocation under clause (i) may—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the alien's possession.

(3) **EXCLUSION OF CORPORATE OFFICERS.**—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the person.

(4) **EXPORT SANCTION.**—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to the person under—

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

(B) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(5) **INCLUSION ON ENTITY LIST.**—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(6) **BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.**—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing equity or debt instruments of the person.

(7) **BANKING TRANSACTIONS.**—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person.

(8) **CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.**—In the case of a foreign financial institution, the President may prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by the foreign financial institution.

(c) **EXCEPTIONS.**—

(1) **INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.**—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of subsection (b)(1).

(2) **EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.**—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(3) **COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.**—Paragraphs (2) and (3) of subsection (b) shall not apply if admission of an alien to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success, June 26, 1947, and entered into force, November 21, 1947, between the United Nations and the United States.

(4) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—

(A) **IN GENERAL.**—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) **GOOD DEFINED.**—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(d) **IMPLEMENTATION; PENALTIES.**—

(1) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) **PENALTIES.**—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(e) **DEFINITIONS.**—In this section:

(1) **ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.**—The terms “account”, “correspondent account”, and “payable-through account” have the meanings given those terms in section 5318A of title 31, United States Code.

(2) **ALIEN.**—The term “alien” has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(3) **CHINESE PERSON.**—The term “Chinese person” means—

(A) an individual who is a citizen or national of the People's Republic of China; or

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

(4) **FINANCIAL INSTITUTION.**—The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(5) **FOREIGN FINANCIAL INSTITUTION.**—The term “foreign financial institution” has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) **PERSON.**—The term “person” means any individual or entity.

(7) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

**SEC. 5223. PROHIBITION AGAINST DOCUMENTS PORTRAYING THE SOUTH CHINA SEA OR THE EAST CHINA SEA AS PART OF CHINA.**

The Government Publishing Office should not publish any map, document, record, electronic resource, or other paper of the United States (other than materials relating to hearings held by committees of Congress or internal work product of a Federal agency) portraying or otherwise indicating that it is the position of the United States that the territory or airspace in the South China Sea that is disputed among two or more parties or the territory or airspace of areas administered by Japan or the Republic of Korea, including in the East China Sea, is part of the territory or airspace of the People's Republic of China.

**SEC. 5224. AUTHORIZATION TO PROHIBIT CERTAIN ASSISTANCE TO COUNTRIES THAT RECOGNIZE CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.**

(a) **PROHIBITION.**—Except as provided by subsection (c) or (d), no amounts should be obligated or expended to provide foreign assistance to the government of any country identified in a report required by subsection (b) during the 3-year period beginning on the date of the enactment of this Act.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary of State shall submit to the appropriate committees of Congress a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People's Republic of China over territory or airspace disputed by one or more countries in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(3) **PUBLIC AVAILABILITY.**—The Secretary of State shall publish the unclassified part of the report required by paragraph (1) on a publicly available website of the Department of State.

(c) **EXCEPTION.**—This section shall not apply with respect to—

(1) Taiwan;

(2) counterterrorism, counter-narcotics, or law enforcement activities; or

(3) global health, democracy, cybersecurity, humanitarian, disaster, or emergency food assistance.

(d) **WAIVER.**—The President may waive the application of subsection (a) with respect to the government of a country if the President determines that the waiver is in the national interests of the United States.

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SA 2107.** Mr. PETERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr.

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

On page 61, on line 20, insert “Appointment as a program director under this section shall be voluntary.” after “tor.”

Beginning on page 113, strike line 24 and all that follows through line 3 on page 115 and insert the following:

(3) **DIRECT HIRE AUTHORITY.**—

(A) **IN GENERAL.**—During fiscal year 2021 and any fiscal year thereafter, the head of any Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303, 3304(b), and 3328 of that title, a qualified candidate described in subparagraph (B) directly to a position in the competitive service with the Federal agency for which the candidate meets Office of Personnel Management qualification standards.

(B) **FELLOWSHIP OR TEMPORARY ROTATIONAL POSTING.**—Subparagraph (A) applies with respect to a former recipient of an award under this subsection who—

(i) earned a doctoral degree in a STEM field from an institution of higher education; and

(ii) successfully fulfilled the requirements of the fellowship or temporary rotational posting within a Federal agency.

(C) **LIMITATION.**—The direct hire authority under this paragraph shall be exercised with respect to a specific qualified candidate not later than 2 years after the date that the candidate completed the requirements related to the fellowship or temporary rotational posting described under this subsection.

(D) **NUMBER.**—The number of employees appointed and retained by the Federal Government under this paragraph shall not exceed 10 at any time.

Strike section 2204 and insert the following:

**SEC. 2204. PERSONNEL MANAGEMENT AUTHORITIES FOR THE FOUNDATION.**

(a) **STUDY.**—Not later than 30 days after the date of enactment of this division, the Director shall contract with the National Academy of Public Administration to conduct a study on the organizational and management structure of the Foundation, to—

(1) evaluate and make recommendations to efficiently and effectively implement the Directorate for Technology and Innovation;

(2) evaluate and make recommendations to ensure coordination of the Directorate for Technology and Innovation with other directorates and offices of the Foundation and other Federal agencies; and

(3) make recommendations for the management of the Foundation's business and personnel practices, including implementation of the new hiring authorities and program director authorities provided in section 2103.

(b) **REVIEW.**—Upon completion of the study under paragraph (1), the Foundation shall review the recommendations from the National Academy of Public Administration and provide a briefing to Congress on the plans of the Foundation to implement any such recommendations.

Strike section 2665 and insert the following:

**SEC. 2665. APPOINTMENT AND COMPENSATION PILOT PROGRAM.**

(a) **DEFINITION OF COVERED PROVISIONS.**—In this section, the term “covered provisions” means the provisions of title 5, United States Code, other than—

- (1) section 2301 of that title;
- (2) section 2302 of that title;
- (3) chapter 33 of that title;
- (4) chapter 71 of that title;
- (5) chapter 72 of that title; and
- (6) chapter 73 of that title.

(b) **ESTABLISHMENT.**—There is established a 3-year pilot program under which, notwithstanding section 20113 of title 51, United States Code, the Administrator may, with respect to not more than 3,000 designated personnel—

(1) appoint and manage such designated personnel of the Administration, without regard to the covered provisions; and

(2) fix the compensation of such designated personnel of the Administration, without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, at a rate that does not exceed the per annum rate of salary of the Vice President of the United States under section 104 of title 3, United States Code.

(c) **ADMINISTRATOR RESPONSIBILITIES.**—In carrying out the pilot program established under subsection (b), the Administrator shall ensure that the pilot program—

(1) uses—

(A) state-of-the-art recruitment techniques;

(B) simplified classification methods with respect to personnel of the Administration; and

(C) broad banding; and

(2) offers—

(A) competitive compensation; and

(B) the opportunity for career mobility.

(d) **REPORT.**—Not later than 2 years after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) describes in detail—

(A) the use of the pilot program hiring authority under this section, including pay, qualifications, and classification of individuals hired under such authority;

(B) the methods for recruitment under the program; and

(C) efforts being made by the NASA to address any compensation equity issue that may arise as a result of the program;

(2) analyzes the impact of the program on participants, disaggregated by demographic factors including age, race, ethnicity, gender, education, compensation, and job classification;

(3) compares the demographics of the program participants with the demographics of NASA employees outside the program;

(4) assesses the morale and engagement of the NASA workforce participating in the program, as compared to the morale and engagement of the NASA workforce outside the program; and

(5) makes recommendations with respect to the continuation, modification, or permanent codification of the program.

Strike section 2669 and insert the following:

**SEC. 2669. SEPARATIONS AND RETIREMENT INCENTIVES.**

(a) **VOLUNTARY SEPARATION INCENTIVE PAYMENTS.**—

Subchapter II of chapter 35 of title 5, United States Code, is amended—

(1) in section 3521—

(A) by striking paragraph (1) and inserting the following:

“(1) ‘agency’—

“(A) means an Executive agency as defined under section 105 (other than the Government Accountability Office); and



“(B) includes the National Aeronautics and Space Administration; and”; and

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking “and” at the end;

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

(iii) by adding at the end the following:

“(C) shall include an employee of the National Aeronautics and Space Administration appointed in accordance with paragraph (1) or (2) of section 20113(b) of title 51, without regard to any other provision of such section 20113(b).”; and

(2) in section 3523(b)(3)(B), by inserting “(or, during the 7-year period beginning on the date of enactment of the United States Innovation and Competition Act of 2021, with respect to an employee of the National Aeronautics and Space Administration, including an employee described in section 3521(2)(C), not to exceed \$40,000)” after “\$25,000”.

(b) EARLY RETIREMENT.—Title 5, United States Code, is amended—

(1) in section 8336(d), in the matter preceding paragraph (1), by inserting “(including, for the purposes of paragraph (2), an employee of the National Aeronautics and Space Administration appointed in accordance with paragraph (1) or (2) of section 20113(b) of title 51, without regard to any other provision of such section 20113(b))” after “An employee”; and

(2) in section 8414(b)(1), in the matter preceding subparagraph (A), by inserting “(including, for the purposes of subparagraph (B), an employee of the National Aeronautics and Space Administration appointed in accordance with paragraph (1) or (2) of section 20113(b) of title 51, without regard to any other provision of such section 20113(b))” after “an employee”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, May 27, 2021, at 9:30 a.m., to conduct a hearing on a nomination.

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, May 27, 2021, at 9:30 a.m., to conduct a hearing.

#### SUBCOMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to

meet during the session of the Senate on Thursday, May 27, 2021, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, May 27, 2021, at 9:45 a.m., to conduct a hearing on nominations.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, May 27, 2021, at 11 a.m., to conduct a hearing.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, May 27, 2021, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, May 27, 2021, at 10:15 a.m., to conduct a hearing on a nomination.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, May 27, 2021, at 10 a.m., to conduct a hearing on nominations.

#### PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, it is my pleasure to ask unanimous consent that Flannery Egner, an intern with the Committee on Commerce, Science, and Transportation minority staff, be granted floor privileges for the remainder of the 117th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Illinois.

#### ORDERS FOR FRIDAY, MAY 28, 2021

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9 a.m., Friday, May 28; that following the prayer and pledge, the time for the two leaders be reserved for their use later in the day; and finally, that all recess count postcloture on the Schumer substitute amendment No. 1502.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### RECESS UNTIL 9 A.M. ON FRIDAY, MAY 28, 2021

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 2:51 a.m., recessed until Friday, May 28, 2021, at 9 a.m.

#### CONFIRMATION

Executive nomination confirmed by the Senate May 27, 2021:

#### DEPARTMENT OF DEFENSE

CHRISTINE ELIZABETH WORMUTH, OF VIRGINIA, TO BE SECRETARY OF THE ARMY.

#### NOMINATIONS

Executive nominations received by the Senate:

#### DEPARTMENT OF THE TREASURY

BRIAN EDDIE NELSON, OF CALIFORNIA, TO BE UNDER SECRETARY FOR TERRORISM AND FINANCIAL CRIMES, VICE SIGAL MANDELKER, RESIGNED.

ELIZABETH ROSENBERG, OF VERMONT, TO BE ASSISTANT SECRETARY FOR TERRORIST FINANCING, DEPARTMENT OF THE TREASURY, VICE MARSHALL BILLINGSLEA.

#### DEPARTMENT OF COMMERCE

ARUN VENKATARAMAN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE, VICE IAN PAUL STEFF.

#### EXECUTIVE OFFICE OF THE PRESIDENT

SARAH BIANCHI, OF VIRGINIA, TO BE DEPUTY UNITED STATES TRADE REPRESENTATIVE (ASIA, AFRICA, INVESTMENT, SERVICES, TEXTILES, AND INDUSTRIAL COMPETITIVENESS), WITH THE RANK OF AMBASSADOR, VICE JEFFREY GERRISH.

#### DEPARTMENT OF EDUCATION

ELIZABETH MERRILL BROWN, OF MARYLAND, TO BE GENERAL COUNSEL, DEPARTMENT OF EDUCATION, VICE CARLOS G. MUNIZ, RESIGNED.

#### NATIONAL LABOR RELATIONS BOARD

GWYNNE A. WILCOX, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2023, VICE MARK GASTON PEARCE, TERM EXPIRED.

#### DEPARTMENT OF JUSTICE

MATTHEW G. OLSEN, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE JOHN C. DEMERS.

#### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624, 7037, AND 7064:

#### To be brigadier general

COL. ALISON C. MARTIN  
COL. DAVID E. MENDELSON  
COL. GEORGE R. SMAWLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be brigadier general

COL. EUGENE D. COX  
COL. CLINTON K. MURRAY  
COL. DEYDRE S. TEYHEN