SA 3901. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3902. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3903. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3904. Mr. WARNOCK (for himself, Mrs. BLACKHORNE, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3905. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3906. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3907. Mr. WARNOCK (for himself and Mrs. BLACKHORNE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3908. Mr. WARNOCK (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3909. Mr. WARNOCK (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3910. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3911. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3912. Mr. SCHUMER (for Ms. ENSN) proposed an amendment to the bill S. 1872, to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

SA 3913. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3877. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1283. EXTENSION OF AUTHORITY OF AND HIRING AUTHORITY FOR THE GLOBAL ENGAGEMENT CENTER.

(a) EXTENSION.—Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2606 note) is amended by striking ‘‘the date that is 8 years after the date of the enactment of this Act’’ and inserting ‘‘December 31, 2027’’.

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary of State, during the five-year period beginning on the date of the enactment of this Act and solely to carry out functions of the Global Engagement Center established by such section, may—

(1) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

(2) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title regarding classification and General Schedule pay rates.

SA 3878. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1282. EXTENSION OF AUTHORITY OF AND HIRING AUTHORITY FOR THE GLOBAL ENGAGEMENT CENTER.

(a) EXTENSION.—Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2606 note) is amended by striking ‘‘the date that is 8 years after the date of the enactment of this Act’’ and inserting ‘‘December 31, 2027’’.

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary of State, during the five-year period beginning on the date of the enactment of this Act and solely to carry out functions of the Global Engagement Center established by such section, may—

(1) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

(2) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title regarding classification and General Schedule pay rates.

SA 3879. Mr. PORTMAN (for himself, Mr. BROWN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1289. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The information landscape in North Korea is the most repressive in the world, consistently ranking last or near-last in the annual World Press Freedom Index.

(2) Under the brutal rule of Kim Jung Un, the country’s leader since 2012, the North Korean regime has tightened controls on access to information, as well as punishments for consumers of outside media, including sentencing to time in a concentration camp and a maximum penalty of death.

(3) Such repressive and unjust laws surrounding information in North Korea resulted in the death of 22-year-old United States citizen and university student Otto Warmbier, who had traveled to North Korea in December 2015 as part of a guided tour.

(4) Otto Warmbier was unjustly arrested, sentenced to 15 years of hard labor, and severely interrogated at the hands of North Korean officials. While in captivity, Otto Warmbier suffered a serious medical emergency that placed him into a comatose state. Otto Warmbier was comatose upon his release in June 2017 and died 6 days later.

(5) Despite increased penalties for possession of information, the people of North Korea have increased their desire for foreign media content, according to a survey of 200 defectors concluding that 90 percent had watched South Korean or other foreign media before defecting.

(6) On March 23, 2021, in an annual resolution, the United Nations General Assembly condemned ‘‘the long-standing and ongoing systematic, widespread and gross violations of human rights in the Democratic People’s Republic of Korea’’ and expressed grave concern, at, among other things, the denial of the right to freedom of thought, conscience, and religion . . . and of the rights to freedom of opinion, expression, and association, both online and offline, which is enforced through an absolute monopoly on information and total control over organized social life, and arbitrary and unlawful state surveillance that permeates the private lives of all citizens’’.

(7) In 2018, Typhoon Yutu caused extensive damage to 15 broadcast antennas used by the United States Agency for Global Media in Asia, resulting in reduced programming to the United States Agency for Global Media in Asia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in the event of a crisis situation, par-
United States should be able to quickly increase its broadcasting capability to deliver fact-based information to audiences, including those in North Korea; and

(2) the United States International Broadcasting Surge Capacity Fund is already authorized under section 316 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6216(e)) and expanded authority to transfer unobligated balances from expired accounts of the United States Agency for Global Media would enable the Agency to more quickly respond to crises.

SEC. 1293. STATEMENT OF POLICY.
It is the policy of the United States—

(1) to provide the people of North Korea with access to a diverse range of fact-based information;

(2) to develop and implement novel means of communication and information sharing that increase opportunities for audiences in North Korea to safely create, access, and share digital and non-digital news without fear of repressive censorship, surveillance, or penalties under law; and

(3) to foster and innovate new technologies to counter North Korea's state-sponsored repressive surveillance and censorship by advancing internet freedom tools, technology and new approaches.

SEC. 1294. UNITED STATES STRATEGY TO COMBAT NORTH KOREA'S REPRESSIVE INFORMATION ENVIRONMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall develop and submit to Congress a strategy on combating North Korea's repressive information environment.

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

(1) an assessment of the challenges to the free flow of information into North Korea created by the censorship and surveillance technology apparatus of the Government of North Korea;

(2) a detailed description of the agencies and other government entities, key officials, and security services responsible for the implementation of North Korea's repressive surveillance and censorship by advancing internet freedom tools, technology and new approaches;

(3) a detailed description of the agencies and other government entities and key officials that implement that apparatus, that facilitate, or aid North Korea's repressive censorship and surveillance state;

(4) a review of existing public-private partnerships that enable circumvention technology and an assessment of the feasibility and utility of new tools to increase free expression, circumvent censorship, and obstruct repressive surveillance in North Korea;

(5) a description of and funding levels required for current United States Government programs that the President determines to provide access to the people of North Korea to a diverse range of fact-based information;

(6) an update of the plan required by section 316 of the United States International Broadcasting Act of 2004 (22 U.S.C. 7814(a));

(7) a description of Department of State programs and funding levels for programs that promote freedom of information in North Korea, including monitoring and evaluation efforts.

(b) Report to Congress:—

(1) A detailed assessment of how the United States International Broadcasting Surge Capacity Fund is already authorized under section 316 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6216(e)) and expanded authority to transfer unobligated balances from expired accounts of the United States Agency for Global Media would enable the Agency to more quickly respond to crises in the past, and how authority to transfer unobligated balances from expired accounts would help the United States Agency for Global Media in crisis situations in the future.

(2) A detailed plan for how the authorization of appropriations under section 1297 will operate alongside and augment existing programs from the relevant Federal agencies and the United States Agency for Global Media, or new tools to assist that programming.

(3) FORM OF STRATEGY.—The strategy required by subsection (a) shall be submitted in unclassified form, but may include the matters required by paragraphs (2) and (3) of subsection (b) in a classified annex.

SEC. 1295. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS RESPONSIBLE FOR NORTH KOREA'S REPRESSIVE Censorship AND SURVEILLANCE STATE.

(a) IN GENERAL.—The President may impose the following sanctions with respect to any foreign person that the President determines knowsingly engaged in, facilitated, or was responsible for censorship by the Government of North Korea or the Workers' Party of Korea identified under paragraph (2) or (3) of section 1294(b):

(1) BLOCKING OF PROPERTY.—The President may exercise all of the powers granted by the President for National Emergencies 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 such a foreign 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 described in subsection (a)(1), the President shall:

(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 whether other entry documentation is or was issued.

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

(I) take effect consistent with section 221 of the Immigration and Nationality Act (8 U.S.C. 1201); and

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

(b) 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 the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (a)(1) or any requirement issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic 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.

(c) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under subsection (a) with respect to a person if the President determines that such a waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(d) EXCEPTIONS.—

(1) INTELLIGENCE ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under the Intelligence Reform and Terrorism Prevention Act of 1994 (50 U.S.C. 3901 et seq.) or any authorized intelligence activities of the United States.

(2) LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to any authorized law enforcement activities of the United States.

(3) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENT.—(a)(2) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under 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, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under any other international agreement.

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

(e) 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) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means:

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

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

(3) FOREIGN PERSON.—The term “foreign person” means any person that is not a United States person.

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

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

(B) an entity organized under the laws of the United States or any jurisdiction within the United States; or

(C) any person in the United States.

SEC. 1296. REPORT ON ENFORCEMENT OF SANCTIONS WITH RESPECT TO NORTH KOREA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through 2024, the Secretary of State and the Secretary of the Treasury shall jointly submit to the appropriate congressional committees a report on sanctions-related activities and enforcement undertaken by the United States Government with respect to North Korea during the period described in subsection (b) that includes—

(1) an assessment of activities conducted by the United States Government of North Korea that would require mandatory designations pursuant to the
North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 5304 et seq.); and (2) sanctions-related enforcement or other sanctions-related actions undertaken by the United States Government pursuant to that Act.

(b) Period described.—The period described in this subsection is—
(1) in the case of the first report required by subsection (a), the period beginning on January 1, 2021, and ending on the date on which the report is required to be submitted; and
(2) in the case of each subsequent report required by subsection (a), the one-year period preceding submission of the report.

SEC. 1297. PROHIBITION ON INFORMATION AND COUNTERING CENSORSHIP AND SURVEILLANCE IN NORTH KOREA.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the United States Agency for Global Media $10,000,000 for each of fiscal years 2022 through 2026 to provide increased broadcasting and grants for the following purposes:
(1) To promote the development of Internet freedom tools, technologies, and new approaches, including both digital and non-digital means of information sharing related to North Korea.
(2) To explore public-private partnerships to counter North Korea’s repressive censorship and surveillance state.
(3) To bolster new means to protect the privacy and identity of individuals receiving media from the United States Agency for Global Media and other outside media outlets from within North Korea.
(4) To bolster existing programming from the United States Agency for Global Media by restoring the broadcasting capacity of damaged antennas caused by Typhoon Yutu in 2018.

(b) Annual Reports.—Section 104(a)(7)(B) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814(a)(7)(B)) is amended—
(1) in the matter preceding clause (i)—
(A) by striking “1 year after the date of the enactment of this paragraph” and inserting “September 30, 2022”; and
(B) by striking “Broadcasting Board of Governors” and inserting “Chief Executive Officer of the United States Agency for Global Media”; and
(2) in clause (i), by inserting after “this section” the following: “and sections 1294 and 1295 of the Warming Up to North Korean Censorship and Surveillance Act of 2021”.

SEC. 3881. Mr. PORTMAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile A of title VII, add the following:

Subtitle I—Improvement of Housing Outcomes for Veterans

SEC. 1101. DEPARTMENT OF VETERANS AFFAIRS SHARING OF INFORMATION RELATING TO COORDINATED ENTRY PROGRAMS FOR HOUSING SERVICES OPERATED UNDER DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT CONTINUUM OF CARE PROGRAM.

(a) In General.—The Secretary of Veterans Affairs and the Secretary of Housing and Urban Development shall—
(1) provide to staff of medical centers of the Department of Veterans Affairs and homelessness service providers of the Department and the information described in subsection (b); and
(2) ensure that such information, and other resources the Under Secretary determines are appropriate, are accessible to such staff and providers.

(b) Information Described.—The information described in this subsection is information related to best practices with respect to the collaboration between medical centers of the Department of Veterans Affairs, homelessness service providers of the Department, and local partners (including local offices of the Department of Housing and Urban Development or public housing agencies, and private and public local community organizations) on the centralized or coordinated assessment systems established and operated by Continuums of Care under section 537.7(a)(b) of title 24, Code of Federal Regulations, including making referrals and sharing data, as the Under Secretary determines appropriate.

SEC. 1102. DEPARTMENT OF VETERANS AFFAIRS COMMUNICATION WITH EMPLOYEES RESPONSIBLE FOR HOMELESSNESS ASSISTANCE PROGRAMS.

The Under Secretary for Health of the Department of Veterans Affairs shall—
(1) ensure the Department of Veterans Affairs clearly communicate with employees of the Department of Veterans Affairs whose responsibilities are related to homelessness assistance programs regarding:
(a) the measurement of performance of such programs by the Homeless Programs Office of the Department; and
(b) how to obtain and provide feedback about performance measures.

SEC. 1103. SYSTEM FOR SHARING AND REPORTING DATA.

(a) In General.—The Secretary of Veterans Affairs and the Secretary of Housing and Urban Development shall work together to develop a system for efficiently sharing and reporting data between the community-wide homeless management information system described in section 402(f)(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11366a(f)(3)) and the Homeless Operations Management and Evaluation System of the Department of Veterans Affairs.

(b) Deadline.—The Secretary of Veterans Affairs and the Secretary of Housing and Urban Development shall ensure that the system developed under subsection (a) is operational not later than three years after the date of the enactment of this Act.

SEC. 1104. TRAINING AND TECHNICAL ASSISTANCE REGARDING SERVICES PROVIDED TO VETERANS AT RISK OF EXPERIENCING OR TRANSITIONING OUT OF HOMELESSNESS.

(a) In General.—The Secretary of Veterans Affairs shall provide training and technical assistance to employees at risk of, experiencing, or transitioning out of homelessness regarding—
(1) the provision of such services to such veterans; and
(2) the planning and development of such services.

(b) Coordination.—The Secretary of Veterans Affairs may provide the training and technical assistance under subsection (a) directly or through grants or contracts with such public or nonprofit private entities as the Secretary considers appropriate.

SEC. 1105. PROVISION OF TRAINING.—The Secretary of Veterans Affairs may provide the training and technical assistance under subsection (a) to employees at risk of, experiencing, or transitioning out of homelessness.

SEC. 1106. Authorization of Appropriations.—There are authorized to be appropriated to the United States Agency for Global Media $10,000,000 for each of fiscal years 2022 through 2026 to provide increased broadcasting and grants for the following purposes:
(1) To promote the development of Internet freedom tools, technologies, and new approaches, including both digital and non-digital means of information sharing related to North Korea.
(2) To explore public-private partnerships to counter North Korea’s repressive censorship and surveillance state.
(3) To bolster new means to protect the privacy and identity of individuals receiving media from the United States Agency for Global Media and other outside media outlets from within North Korea.
(4) To bolster existing programming from the United States Agency for Global Media by restoring the broadcasting capacity of damaged antennas caused by Typhoon Yutu in 2018.

(b) Annual Reports.—Section 104(a)(7)(B) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814(a)(7)(B)) is amended—
(1) in the case of the first report required to be submitted under this Act, the one-year period preceding submission of the report.
(2) in the case of each subsequent report required by this Act, the one-year period preceding submission of the report.

(c) Effective Date.—The amendments made by this section shall take effect January 1, 2022.
amendment SA 3867 submitted by Mr. Reed and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON ALLEGATIONS OF WAR CRIMES AND TORTURE COMMITTED BY UNITED STATES CITIZENS IN LIBYA.

(a) In General.—Not later than 180 days after receiving a credible allegation of the commission of a covered offense, including from a nongovernmental organization that monitors violations of human rights, the Attorney General, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on such allegation, including a determination as to whether the Attorney General will review or consents to such allegation for potential criminal investigation, and a description of any challenges to prosecution.

(b) Definitions.—

(1) The term "appropriate committees of Congress'' means—

(A) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the House of Representatives.

(2) Covered offense.—The term "covered offense'' means an offense under section 1124 of this title.

(3) Joint account.—The term "joint account'' means—

(a) a designated beneficiary account established with respect to the death of a decedent under the Plan, each of the first 12 payments, following the death of the decedent under the Plan, each of the first 12 payments, shall be disbursed to the Foreign Military Sales Trust Fund.

(b) A detailed description of any such incident during the three-year period immediately preceding the date on which the report is submitted.

SEC. 1287. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) Prohibition.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

(b) Definitions.—In this section:

(1) The term "facility of the Veterans Health Administration'' means any land or...
building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) pursuant to the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarette devices, and e-cigarettes.”;

(2) CHERLIC AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

SA 3888. Mr. DURBIN (for himself, Mr. LEAHY, and Mr. OSWALD) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1238. TERMINATION OF AUTHORIZATIONS FOR THE USE OF MILITARY FORCE OR DECLARATIONS OF WAR.

(a) FUTURE AUTHORIZATIONS FOR THE USE OF MILITARY FORCE OR DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted into law after the date of enactment of this Act shall terminate on the date that is 10 years after the date of enactment of such authorization or declaration.

(b) EXISTING AUTHORIZATIONS FOR THE USE OF MILITARY FORCE OR DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted before the date of the enactment of this Act shall terminate on the date that is 6 months after the date of such enactment.

SA 3889. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1236 and insert the following:

SEC. 1236. SENSE OF SENATE ON PROVISION OF SECURITY ASSISTANCE TO BALTIIC COUNTRIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Baltic countries are particularly vulnerable to continued aggression from the Russian Federation. Through increased air provocations, military build up in the Baltic region, disinformation campaigns, cyberattacks, and other forms of intimidation.

(2) Since fiscal year 2018, the United States has allocated over $498,965,000 in Department of Defense partner capacity funding for the Baltic countries, including over $70,000,000 in funding for the Baltic Security Initiative pursuant to sections 332 and 333 of title 10, United States Code, for security assistance to Baltic countries with respect to—

(A) air defense;

(B) maritime situational awareness;

(C) ammunition;

(D) command, control, communications, computers, intelligence, surveillance, and reconnaissance;

(E) anti-tank capability;

(F) special forces; and

(G) other defense capabilities.

(3) The Secretary of Defense has completed the comprehensive Baltic defense assessment required by section 1246 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1661) and has recommended continued robust, comprehensive investments in Baltic security efforts based on that assessment.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the security of the Baltic region is crucial to the security of the North Atlantic Treaty Organization alliance and the continued provision of security assistance to the Baltic countries is essential to ensuring dentrence against Russian aggression and bolstering the security of North Atlantic Treaty Organization allies; and

(2) the Senate strongly supports robust assistance to accomplish United States strategic objectives, including by providing assistance to the Baltic countries through the Baltic Security Initiative.

SA 3890. Mr. RUBIO (for himself, Mr. WARNER, Mr. BENCET, Mr. BLUMENTHAL, Mr. COTTON, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HENNICH, Mr. KING, Mr. RISCH, Mr. SASSER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1238. LOCAL PAY EQUITY.

(a) LOCAL WAGE AREA LIMITATION.—Section 5343(a)(1) of title 5, United States Code, is amended—

(1) by striking the period after “(but” and inserting “and”;

(2) by inserting “the area of” before “the area of”;

(3) by striking the period after “and” and inserting “and”;

(b) LOCALITY PAY EQUITY.—Section 5343(a)(2) of title 5, United States Code, is amended—

(1) by striking the period after “employee” and inserting “employee”;

(2) by inserting “and” before “employee”;

(c) APPLICABILITY.—The amendments made by this section shall not have the effect of reducing the minimum rate of basic pay payable to any individual who is serving in a prevailing rate employee (as defined under section 5306 of title 5, United States Code).

SA 3891. Mr. CASEY (for himself and Mrs. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1239. EXPANSION OF TREATMENT OF MOVING EXPENSES.

(a) PURPOSE.—The purpose of this section is to facilitate the movement of members of the intelligence community to meet mission critical needs and to reduce unintended tax burdens imposed on public servants in relocating duty stations.

(b) DEDUCTION.—Section 201(k) of the Internal Revenue Code of 1986 is amended by inserting “or an employee or new appointee of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003))” after “whom subsection (g) applies”.

SEC. 1239A. EXCLUSION FOR QUALIFIED MOVING EXPENSES.

(a) IN GENERAL.—The Secretary of Transportation shall establish rules and regulations to assure that each employee of the United States who is a member of the Armed Forces of the United States and who is a member of the Intelligence Community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) who moves pursuant to a change in station that requires relocation after “change of station”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SA 3892. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for energy activities of the Department of Energy, to prescribe energy personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1239B. EXCLUSION FOR QUALIFIED MOVING EXPENSES.

(a) IN GENERAL.—The Secretary of Transportation shall establish rules and regulations to assure that each employee of the United States who is a member of the Intelligence Community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) who moves pursuant to a change in station that requires relocation after “change of station”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.
proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 356. STANDARDS FOR RESPONSE ACTIONS WITH RESPECT TO CONTAMINATION FROM PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) In general.—In conducting response actions to address PFAS contamination from activities of the Department of Defense or National Guard, the Secretary of Defense shall conduct such actions to achieve a level of PFAS in the environmental media that meets or exceeds the most stringent of the following standards for PFAS in any environmental media:

(1) The applicable State standard, in effect in that State, as described in clause (ii) of section 121(i)(2)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(i)(2)(A)).

(2) The applicable Federal standard as described in clause (i) of such section.

(b) Definition.—In this section:

(1) PFAS.—The term ‘‘PFAS’’ means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

(c) Response action.—The term ‘‘response action’’ means an action taken pursuant to section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604).

(d) Savings clause.—Except with respect to the specific level required to be met under subsection (a), nothing in this section affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604 et seq.).

SA 3893. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. EXPANSION OF ELIGIBILITY FOR HEARING AIDS TO INCLUDE CHILDREN OF CERTAIN RETIRED MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (16) of section 1077(a) of title 10, United States Code, is amended to read as follows:

‘‘(B) A dependent under subparagraph (D) or (I) of section 1072(2) of this title of a former member of the uniformed services who is entitled to retired or retainer pay, or equivalent pay.’’.

SA 3894. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. EXPANSION OF ELIGIBILITY FOR HEARING AIDS TO INCLUDE CHILDREN OF CERTAIN RETIRED MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (16) of section 1077(a) of title 10, United States Code, is amended to read as follows:

‘‘(B) A dependent under subparagraph (D) or (I) of section 1072(2) of this title of a former member of the uniformed services who is entitled to retired or retainer pay, or equivalent pay.’’.

SA 3895. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. GRANT PROGRAM FOR INCREASED COOPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) Findings and sense of Congress.—

(1) Findings.—Congress makes the following findings:

(A) The Department of Veterans Affairs reports that between 11 and 20 percent of veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom have post-traumatic stress disorder (in this paragraph referred to as ‘‘PTSD’’) in a given year. In addition, that figure amounts to about 12 percent of Gulf War veterans and up to 30 percent of Vietnam veterans.

(B) The Department of Veterans Affairs reports that among women veterans of the conflicts in Iraq and Afghanistan, almost 20 percent have been diagnosed with PTSD.

(C) It is thought that 70 percent of individuals in the United States have experienced at least one traumatic event in their lifetime, and approximately 20 percent of those individuals have struggled or continue to struggle with symptoms of PTSD.

(D) Studies show that PTSD has links to homelessness and substance abuse in the United States. The Department of Veterans Affairs estimates that approximately 11 percent of the homeless population is comprised of veterans and the Substance Abuse and Mental Health Services Administration estimates that about seven percent of veterans have a substance abuse disorder.

(E) Our ally Israel, under constant attack from terrorist groups, experiences similar issues with Israeli veterans facing symptoms of PTSD. The National Center for Traumatic Stress and Resilience at Tel Aviv University found that five to eight percent of combat soldiers experience some form of PTSD, and during wartime, that figure rises to 15 to 20 percent.

(F) Current treatment options in the United States focus on cognitive therapy, exposure therapy, or eye movement desensitization and reprocessing, but the United States must continue to look for more effective treatments. Several leading hospitals, academic institutions, and nonprofit organizations in Israel dedicate research and services to treating PTSD.

(2) Sense of Congress.—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program, should seek to explore collaborative initiatives between academic institutions and nonprofit research entities in the United States and institutions in Israel with expertise in research, diagnosing, and treating post-traumatic stress disorder.

(b) Grant program.—

(1) In general.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to post-traumatic stress disorders.

(2) Agreement.—The Secretary of Defense shall carry out the grant program under this section in accordance with the Agreement on the United States-Israel binational science foundation with exchange of letters, signed at New York September 27, 1972, and entered into force on September 27, 1972.

(c) Grant authority.—The Secretary of Defense is authorized to make grants under this section of up to $5,000,000 each year, as the Secretary determines, to one or more entities to carry out research projects that:

(1) carry out a research project that addresses a problem in the area of post-traumatic stress disorders that the Secretary determines appropriate to research using such grant; and

(2) are conducted by the eligible entity and an entity in Israel under a joint research agreement.

(d) Gift authority.—The Secretary may accept, hold, and administer any gift of money made on the condition that the gift be used for the purpose of the grant program under this section.

(e) Deposit.—Gifts of money accepted under paragraph (1) shall be deposited in the Treasury in the Department of Defense General Fund and shall be available, subject to appropriation, without fiscal year limitation.
(g) REPORTS.—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—
(1) a description of how the eligible entity used the grant; and
(2) an evaluation of the level of success of the research project.

(b) TERMINATION.—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SA 3896. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. GRANT PROGRAM FOR INCREASED CO-OPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) FINDINGS AND SENSE OF CONGRESS.—
(1) FINDINGS.—Congress makes the following findings:
(A) The Department of Veterans Affairs reports that between 11 and 20 percent of veteran soldiers experience some form of PTSD, and 7.5 percent of Vietnam veterans.
(B) Current treatment options in the United States have experienced limited success.
(C) Our ally Israel, under constant attack from terrorist groups, experiences similar issues with Israeli veterans facing symptoms of PTSD.

(b) GRANT PROGRAM.—
(1) IN GENERAL.—The Secretary of Defense shall carry out the grant program under this section, which is conducted by the eligible entity and the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.
(2) AWARD.—The Secretary shall make the grant to an eligible entity under this section.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be an academic institution or a nonprofit entity located in the United States.

(d) AWARD.—The Secretary shall make grants under this section to eligible entities that—
(1) carry out a research project that—
(A) addresses a requirement in the area of post-traumatic stress disorders that the Secretary determines appropriate to research such grants; and
(B) is conducted by the eligible entity and an entity in Israel under a joint research agreement; and
(2) meet such other criteria that the Secretary may establish.

(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.

(f) GRANT PERIOD.—The Secretary may accept, hold, and administer any gift of money made on the condition that the gift be used for the purpose of the grant program under this section.

(g) DEPOSIT.—Gifts of money accepted under paragraph (1) shall be deposited in the Treasury in the Department of the Treasury General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(h) REPORTS.—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—
(1) a description of how the eligible entity used the grant; and
(2) an evaluation of the level of success of the research project.

(b) TERMINATION.—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SA 3897. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 838. DEFENSE SUPPLY CHAIN RISK ASSESSMENT FRAMEWORK.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a framework, which may be included as part of a framework developed under section 2509 of title 10, United States Code, and pursuant to recommendations provided in Executive Order 14017 (86 Fed. Reg. 11849, relating to America’s supply chains), to consolidate the information relating to risks to the defense supply chain that is collected by the elements of the Department of Defense to—
(1) enable Department-wide risk assessments of the defense supply chain;
(2) support the development of strategies to mitigate risks to the defense supply chain;

(b) FRAMEWORK REQUIREMENTS.—The framework established under subsection (a) shall—
(1) provide for the collection, management, and storage of data from the supply chain risk management processes of the Department of Defense;
(2) provide for the collection of reports on supply chain risk management from the military departments and Defense Agencies, and the dissemination of such reports to the components of the military departments and Defense Agencies involved in the management of supply chain risk;
(3) enable all elements of the Department to analyze the information collected by such framework to identify risks to the defense supply chain;
(4) enable the Department to—
(A) assess the capabilities of foreign adversaries that could affect the defense supply chain, as determined by the Secretary of Defense; and
(D) assess the risks posed by emerging threats to the defense supply chain;
(5) analyze the ability of the industrial base of the United States to meet the needs of the defense supply chain;
(6) provide for—
(A) a map of the supply chains for major end items that supports analysis, monitoring, and reporting with respect to high-risk subcontractors and risks to such supply chain; and
(B) the use of a covered application described in subsection (c) in the creation of such map to assess risks to the supply chain for major end items by business sector, vendor, program, part, or technology.

(c) COVERED APPLICATION DEFINED.—The covered application described in subsection (c) is a covered application that includes the following elements:
(1) A framework established under subsection (a) that may be used to—
(A) analyze the ability of the industrial base of the United States to meet the needs of the defense supply chain;
(B) track global technology trends that could affect the defense supply chain, as determined by the Secretary of Defense;
(C) provide for the collection of reports on supply chain risk management from the military departments and Defense Agencies, and the dissemination of such reports to the components of the military departments and Defense Agencies involved in the management of supply chain risk;
(3) enable all elements of the Department to analyze the information collected by such framework to identify risks to the defense supply chain;
(4) enable the Department to—
(A) assess the capabilities of foreign adversaries that could affect the defense supply chain, as determined by the Secretary of Defense; and
(D) assess the risks posed by emerging threats to the defense supply chain;
(5) analyze the ability of the industrial base of the United States to meet the needs of the defense supply chain;
(6) provide for—
(A) a map of the supply chains for major end items that supports analysis, monitoring, and reporting with respect to high-risk subcontractors and risks to such supply chain; and
(B) the use of a covered application described in subsection (c) in the creation of such map to assess risks to the supply chain for major end items by business sector, vendor, program, part, or technology.

(d) SCALABLE TECHNOLOGY TO SUPPORT MULTIPLE USES.—The Department of Defense shall establish a framework, which may be included as part of a framework developed under section 2509 of title 10, United States Code, and pursuant to recommendations provided in Executive Order 14017 (86 Fed. Reg. 11849, relating to America’s supply chains), to consolidate the information relating to risks to the defense supply chain that is collected by the elements of the Department of Defense to—
(1) enable Department-wide risk assessments of the defense supply chain;
(2) support the development of strategies to mitigate risks to the defense supply chain;
(d) GUIDANCE.—Not later than 180 days after the framework required under subsection (a) is established, and regularly thereafter, the Secretary of Defense shall issue guidance, including mitigating risks to the defense supply chain.

(e) REPORTS.—

(1) PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of establishing the framework under subsection (a).

(2) FINAL REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the framework established under subsection (a) and the organizational structure to manage and oversee the framework.

(1) COVERED APPLICATION.—The term “covered application” means a software-as-a-service application that uses defense data, commercial data, and machine learning techniques.

(2) DEFENSE AGENCY; MILITARY DEPARTMENT.—The term “defense agency” and “military department” have the meanings given such terms in section 101 of title 10, United States Code.

(3) HIGH-RISK SUBCONTRACTORS.—The term “high-risk contractor” means a contractor at any tier that supplies major end items for the Department of Defense.

(4) MATERIEL.—The term “major end item” means an item subject to a unique item level traceability requirement at any time in the life cycle of such item under Department of Defense contract or grant, and includes publically available Internet website of the Government of the United States.

SEC. 1291. REPORT ON ALL COMPREHENSIVE SANCTIONS IMPOSED ON FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary of State, the Secretary of the Treasury, and the head of any other relevant Federal department or agency that the Comptroller General determines necessary, shall submit to the appropriate congressional committees a report on all comprehensive sanctions imposed, under any provision of law, rule, or regulation related to any Federal contract or grant, on any foreign government or a non-state actor.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(c) FOM.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate congressional committees a report on the progress of establishing the framework under subsection (a) and the organizational structure to manage and oversee the framework.

SA 3898. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Defense to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1294. REPORT ON ALL COMPREHENSIVE SANCTIONS IMPOSED ON FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary of State, the Secretary of the Treasury, and the head of any other relevant Federal department or agency that the Comptroller General determines necessary, shall submit to the appropriate congressional committees a report on all comprehensive sanctions imposed, under any provision of law, on—

(1) a de jure or de facto government of a foreign country; and

(2) non-state actors that exercise significant de facto governmental control over a foreign civilian population.

(b) REPORT TO SUBTITLE F.—The report required by subsection (a) shall include—

(1) an assessment of the effect of sanctions imposed on each government described in paragraphs (1) and (2) that subsection and each non-state actor described in paragraph (2) of that subsection on—

(A) the ability of the civilian population to access water, food, sanitation, and public health services, including all humanitarian aid and supplies related to the prevention, diagnosis, and treatment of COVID–19;

(B) the changes to the general mortality rate, maternal mortality rate, life expectancy, and literacy rate;

(C) the extent to which there is an increase in refugees or migration to or from the country or an increase in internally displaced people in the country;

(D) the degree of compliance and non-compliance of the government or non-state actor with international humanitarian assistance efforts; and

(E) the licensing of transactions to allow access to essential goods and services to vulnerable populations, including—

(i) the number of licenses applied for, approved, or denied;

(ii) in cases of license applications that were denied, the reasons why such application were denied; and

(iii) the average time to receive a decision; and

(2) a description of the purpose of sanctions imposed on each such government and non-state actor and the required legal or political authority, including—

(A) an assessment of the role of United States national security;

(B) an assessment of whether the stated foreign policy goals of the sanctions are being met;

(C) the degree of international support or opposition to the sanctions; and

(D) an assessment of the effect of such sanctions on United States businesses, consumers, and financial institutions.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 857. PROTECTIONS FOR WHISTLEBLOWERS SEEKING TO ENDNUCLEAR ACCOUNTABILITY AND OVERSIGHT OF COVID–19 PANDEMIC RESPONSE.

(a) DEFENSE CONTRACTS.—Section 2409 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

‘‘(1) A protected individual may not be discharged, demoted, harassed, blacklisted, prejudiced by any action or lack of action, or otherwise discriminated against for disclosing, being perceived as disclosing, or preparing to disclose (including assisting in disclosing, being perceived in disclosing, and including a disclosure made in the ordinary course of job duties) to a person authorized to investigate (including, as described in paragraph (2) of (A)(ii) gross mismanagement of a Department of Defense contract, subcontract, grant, or subgrant relating to covered funds; (ii) a gross waste of Department funds or covered funds; (iii) an abuse of authority related to a Department contract or grant or the distribution, implementation, or use of covered funds, including conflict of interest or partiality; (iv) any violation of any statute, rule, or regulation related to a Department of Defense contract, subcontract (including the contracting for or negotiation of a contract or subgrant), grant, or subgrant, awarded or issued relating to covered funds; and (v) conduct that violates, obstructs, or undermines any law, rule, or regulation related to any Federal contract (including the competition for or negotiation of a contract) or grant, including an act of obstruction of or a regulation with respect to any coronavirus pandemic-related program, project, or activity;

‘‘(B) refusing to obey an order that the protected individual reasonably believes would require that individual to violate a statute, rule, or regulation with respect to any covered funds, including any coronavirus pandemic-related program, project, or activity;

‘‘(C) evidencing gross mismanagement of a National Aeronautics and Space Administration contract, grant, subcontract, or subgrant; and

‘‘(D) an assessment of the effect of such sanctions on United States businesses, consumers, and financial institutions.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate congressional committees a report on the progress of establishing the framework under subsection (a) and the organizational structure to manage and oversee the framework.
(ii) by striking “Space Administration,” and inserting “Space Administration, who shall review the complaint for investigation, and shall investigate the alleged misconduct disclosed by the complainant and the protected individual if there has previously not been such an investigation or if the appropriate Inspector General determines that the original investigation was conducted in an inadequate manner and may not exercise discretion to respond to any inquiry or disclose the identity or identifying information of the protected individual or any other person to which such information is disclosed.

(3)(A) A person or body described in subsection (a)(2) that receives information from or about any protected individual may not respond to any inquiry or disclose any information from or about any protected individual alleging such discrimination even though the information is not the source of such inquiry or disclosure; and

(B) upon completion of an investigation under this subsection into alleged misconduct involving the protected individual, the Inspector General shall submit a report of the findings of the investigation to—

(A) the person against whom the misconduct is alleged;

(B) the protected individual concerned;

(C) the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as applicable; and

(D) the congressional committees of jurisdiction.

(4) subsection (c)—

(A) in paragraph (1)(B), by striking “compensatory damages (including back pay)” and inserting “compensatory damages (including back pay)’’;

(B) by striking paragraph (7); and

(C) by redesigning paragraph (8) as paragraph (9), and redesigning paragraph (9) as paragraph (10), and redesigning paragraph (10) as paragraph (11).

(5) The term ‘‘coronavirus pandemic-related program, project, or activity’’—

(A) means a program, project, or activity of the executive branch of the Federal Government authorized under or carried out using amounts made available under an Act or an amendment made by that Act; or

(B) the term ‘‘covered funds’’ means any contract, subcontract, grant, subgrant, loan, loan guarantee, or other payment for which—

(a) the Federal Government provides any portion of the funds or property that is provided, requested, or demanded; or

(b) any portion of the funds or property are appropriated or otherwise made available under or to carry out a Coronavirus pandemic-related program, project, or activity.

(8) in subsection (c)—

(A) by redesigning paragraphs (1), (2), (5), (6), and (7) as paragraphs (2), (9), (10), (1), and (8), respectively,

(B) by amending paragraph (1), as so redesignated, by striking “means the following” and all that follows through the period at the end and inserting the following “means an arbitrary discriminatory exercise of authority by a contracting officer or employee that adversely affects the rights of any individual, or that results in personal gain or advantage of the officer or employees or to preferred other individuals.”;

(C) by inserting after paragraph (4) the following new paragraph:

(9) The term ‘‘division M or N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), or an amendment made by that Act’’;

(10) The term ‘‘covered funds’’ means any contract, subcontract, grant, subgrant, loan, loan guarantee, or other payment for which—

(A) the Federal Government provides any portion of the funds or property that is provided, requested, or demanded; or

(B) any portion of the funds or property are appropriated or otherwise made available under or to carry out a Coronavirus pandemic-related program, project, or activity.

(11) The term ‘‘non-Federal employer’’—

(A) includes any individual working for an employer under a grant or contract with such employer (including a contractor, subcontractor, grantee, subgrantee, or agent of an employer); and

(B) does not include any Federal employee or employee of the uniformed services (as that term is defined in section 101(a)(5) of title 10).’’; and

(D) by inserting after paragraph (10), as so redesignated, the following new paragraphs:

(12) The term ‘‘non-Federal employer’’—

(A) means any employer—

(i) with respect to covered funds—

(I) the contractor, subcontractor, grantee, subgrantor, or recipient, as the case may be, if the contractor, subcontractor, grantee, subgrantor, or recipient is an employer; and

(II) any professional membership organization, certification organization, or professional body, any agent or licensee of the Federal Government, or any person acting directly or indirectly in the interest of an employer receiving covered funds on behalf of an employer;

(ii) with respect to covered funds received by a State or local government, the State or
local government receiving the funds and any contractor or subcontractor of the State or local government; and

(B) does not mean any department, agency, or executive agency of the Federal Government, except with respect to a personal services contractor.

(12) The term ‘protected individual’ means—

(A) a contractor, subcontractor, grantee, or subgrantee;

(B) an employee, applicant, or former employee, contractor, subcontractor, grantee, or subgrantee; or

(C) a personal services contractor who engages in any discrimination prohibited under subsection (a).

(13) The term ‘State or local government’ means—

(A) the government of each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; or

(B) the governor of any political subdivision of a government listed in subparagraph (A).

(14) A contractor, subcontractor, grantee, or subgrantee; or

(A) by striking ‘‘contract, subcontract, grantee, or subgrantee’’ and inserting ‘‘contractor or subcontractor of the State or local government receiving the funds’’;

(B) by striking ‘‘criminal action’’ and inserting ‘‘any Coronavirus pandemic-related program, project, or activity’’; and

(C) by striking ‘‘or local government’’ and inserting ‘‘or local government; and any contractor or subcontractor of the State or local government receiving the funds and the contractor, subcontractor, grantee, or subgrantee to seek compensatory damages’’;

(iv) by adding after subparagraph (G) the following new subparagraphs:

(A) in paragraph (1)—

(i) by striking ‘‘the contractor, subcontractor, grantee, or subgrantee’’ and inserting ‘‘the contractor, subcontractor, grantee, or subgrantee to seek compensatory damages’’;

(ii) by striking ‘‘or other reprisal’’ and inserting ‘‘or other reprisal’’;

(B) in subsection (b)—

(i) by striking ‘‘grantee’’ and inserting ‘‘subcontractor, grantee, or subgrantee’’;

(ii) by striking ‘‘the contractor, subcontractor, grantee, or subgrantee to seek compensatory damages’’ and inserting ‘‘may bring a de novo action at law or in equity against any contractor, subcontractor, grantee, or subgrantee to seek compensatory damages’’;

(C) by adding at the end the following new paragraph:

‘‘(5) REPORT.—Upon completion of an investigation under this subsection into allegations of misconduct committed by a protected individual, the Inspector General shall submit a report of the findings of the investigation to—

(A) the person;

(B) the contractor, subcontractor, grantee, or subgrantee concerned;

(C) the head of the agency; and

(D) the congressional committees of jurisdiction.’’;

(3) in subsection (c)—

(A) in paragraph (1), by adding ‘‘or other reprisal’’ after ‘‘discrimination’’;

(B) by striking ‘‘an employee’’ and inserting ‘‘a protected individual’’;

(C) by striking ‘‘a personal services contractor who engages in any discrimination prohibited under subsection (a).’’;

(D) by striking ‘‘the employee’’ and inserting ‘‘the protected individual’’;

(E) by adding ‘‘or other reprisal’’ after ‘‘discrimination’’;

(F) by striking ‘‘an employee’’ and inserting ‘‘a protected individual’’;

(G) by striking ‘‘the employee’’ and inserting ‘‘the protected individual’’; and

(H) by adding at the end the following new paragraph:

‘‘(7) By inserting after subsection (e), as so redesignated, the following new subsection:

‘‘(1) RIGHTS RETAINED BY EMPLOYEES.—Nothing in this section shall diminish the rights, privileges, or remedies of any protected individual under any Federal or State law, or under any collective bargaining agreement.

‘‘(2) LIABILITY.—Notwithstanding any other provision of law, a protected individual shall be immune from civil and criminal liability for making the disclosure if the protected individual would be protected from retaliation under subsection (a).’’

(ii) by striking ‘‘the employee’’ and inserting ‘‘the protected individual’’;

(iii) by inserting ‘‘(2) Notwithstanding any other provision of law, a protected individual shall be immune from civil and criminal liability for making the disclosure if the protected individual would be protected from retaliation under subsection (a).’’;

(iv) by adding after subparagraph (C) the following new paragraph:

‘‘(D) by striking ‘‘the employee’’ and inserting ‘‘the protected individual’’; and

(E) by adding at the end the following new paragraph:

‘‘(2) ACCOMPANYING INVESTIGATIVE FILE.—

(A) IN GENERAL.—A protected individual alleging a reprisal under this section shall have access to the investigative file of the Office of Inspector General in accordance with section 552a of title 5. The investigation by the Office of Inspector General shall be disclosed under such section when an individual files an appeal to the head of an executive agency or a court of competent jurisdiction.

(C) EXCEPTION.—The Inspector General may exclude from disclosure—

(1) information protected from disclosure by a provision of law; and

(2) any additional information the Inspector General determines disclosure of which would impede a continuing investigation, if such information is disclosed once such disclosure would no longer impede such investigation, unless the Inspector General determines that disclosure of law enforcement techniques, procedures, or information could reasonably be expected to risk circumvention of the law; or disclose the identity of a confidential source.’’;

(E) in paragraph (3), as redesignated by subparagraph (C), by striking ‘‘may bring a de novo action at law or in equity against the contractor, subcontractor, grantee, or subgrantee to seek compensatory damages’’ and inserting ‘‘may bring a de novo action at law or in equity against any contractor, subcontractor, grantee, or subgrantee to seek compensatory damages’’;

and

(F) in paragraph (4), as so redesignated, by striking ‘‘paragraph (2)’’ and inserting ‘‘paragraph (3)’’;

(4) by striking subsection (d);

(5) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(6) in subsection (d), as redesignated by paragraph (5),

(A) by inserting ‘‘(1)’’ before ‘‘Nothing’’;

(B) by adding ‘‘or other reprisal’’ after ‘‘discrimination’’;

(C) by striking ‘‘an employee’’ and inserting ‘‘a protected individual’’;

(D) by striking ‘‘the employee’’ and inserting ‘‘the protected individual’’; and

(E) by adding at the end the following new paragraph:

‘‘(7) State and local employees may file complaints for relief under this section, and nothing in this section may be construed to preempt, preclude, or limit the protections provided for public or private employees under State or local whistleblower laws.’’;

(7) by inserting after subsection (e), as so redesignated, the following new subsection:

‘‘(1) RIGHTS RETAINED BY EMPLOYEES.—Nothing in this section shall diminish the rights, privileges, or remedies of any protected individual under any Federal or State law, or under any collective bargaining agreement.

‘‘(2) LIABILITY.—Notwithstanding any other provision of law, a protected individual shall be immune from civil and criminal liability for making the disclosure if the protected individual would be protected from retaliation under subsection (a).’’

(ii) by striking ‘‘the employee’’ and inserting ‘‘the protected individual’’;

(iii) by adding the following new paragraph:

‘‘(A) IN GENERAL.—A protected individual alleging a reprisal under this section shall have access to the investigative file of the Office of Inspector General in accordance with section 552a of title 5. The investigation by the Office of Inspector General shall be disclosed under such section when an individual files an appeal to the head of an executive agency or a court of competent jurisdiction.

(C) EXCEPTION.—The Inspector General may exclude from disclosure—

(1) information protected from disclosure by a provision of law; and

(2) any additional information the Inspector General determines disclosure of which would impede a continuing investigation, if such information is disclosed once such disclosure would no longer impede such investigation, unless the Inspector General determines that disclosure of law enforcement techniques, procedures, or information could reasonably be expected to risk circumvention of the law; or disclose the identity of a confidential source.’’;
(3) Nonenforceability of certain provisions waiving or overriding rights and remedies or requiring arbitration of disputes.—

(A) Waiver of rights and remedies.—Except as provided under subparagraph (C), the rights and remedies provided for in this section may not be waived by any public or private actor, or any form of employment, including by any predispute arbitration agreement.

(B) Predispute arbitration agreements.—Except as provided under subparagraph (C), no predispute arbitration agreement shall be valid or enforceable if it requires arbitration of a dispute arising under this section.

(C) Exception for collective bargaining agreements.—Notwithstanding subparagraph (A), an arbitration provision in a collective bargaining agreement shall be enforceable as to disputes arising under the collective bargaining agreement.

(4) Requirement to post notice of rights and remedies.—No non-Federal employer receiving covered funds (and the head of the applicable agency in the case of a Federal personal services contract involving covered funds) shall prominently post notice on its website and to each employee of the rights and remedies provided under this section, in the primary language and in any other language that is spoken in that workplace.

(5) Effect of waiver.—(A) In paragraph (1), by striking ''that is inconsistent'' and all that follows through ''the end of title 10.''

(B) By redesignating paragraph (2) as paragraph (4), and redesignating paragraph (4) as paragraph (2), and by inserting after paragraph (3), the following new paragraph:

"(5) The term 'employee'—(A) except as provided under subparagraph (B), means an individual performing services on behalf of an employer, including any individual performing services for an employer under a contract or grant with such employer (including a contractor, subcontractor, grantee, subgrantee, or agent of an employer); and (B) does not include any Federal employee or member of the uniformed services (as that term is defined in section 101(a)(5) of title 10)."

(6) In subsection (g), by redesignating subparagraphs (A) through (D) as (B) through (E), and by inserting, after paragraph (B), the following new paragraph:

"(F) The term 'Federal employer'—(i) with respect to covered funds—(I) the contractor, subcontractor, grantee, subgrantee, or recipient is an employer; and (II) any professional membership organization, certification or other professional body, any agent or licensee of the Federal Government, or any person acting directly or indirectly in the interest of an employer receiving covered funds is an employer; and (ii) with respect to covered funds received by a State or local government, the State or local government receiving the funds and any contractor, subcontractor of the State or local government; and (B) does not mean any department, agency, or other entity of the Federal Government, except with respect to a personal services contractor.

(7) The term 'protected individual' means—(A) a contractor, subcontractor, grantee, or subgrantee; (B) an employee, applicant or former employee of a contractor, subcontractor, grantee, or subgrantee; or (C) a personal services contractor who engages in activity for which any discrimination is prohibited under subsection (a).

(8) In subsection (g), by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively, of this section, may submit a complaint so submitted shall be transmitted to the relevant Office of Inspector General for enforcement in accordance with such sections, including notice to the complainant of the referral and relevant procedures.

(3) The term 'employee'—(A) except as provided under subparagraph (B), means an individual performing services on behalf of an employer, including any individual performing services for an employer under a contract or grant with such employer (including a contractor, subcontractor, grantee, subgrantee, or agent of an employer); and (B) does not include any Federal employee or member of the uniformed services (as that term is defined in section 101(a)(5) of title 10)."

(6) In subsection (g), by redesignating subparagraphs (A) through (D) as (B) through (E), and by inserting, after paragraph (B), the following new paragraph:

"(F) The term 'Federal employer'—(i) with respect to covered funds—(I) the contractor, subcontractor, grantee, subgrantee, or recipient is an employer; and (II) any professional membership organization, certification or other professional body, any agent or licensee of the Federal Government, or any person acting directly or indirectly in the interest of an employer receiving covered funds is an employer; and (ii) with respect to covered funds received by a State or local government, the State or local government receiving the funds and any contractor, subcontractor of the State or local government; and (B) does not mean any department, agency, or other entity of the Federal Government, except with respect to a personal services contractor.

(7) The term 'protected individual' means—(A) a contractor, subcontractor, grantee, or subgrantee; (B) an employee, applicant or former employee of a contractor, subcontractor, grantee, or subgrantee; or (C) a personal services contractor who engages in activity for which any discrimination is prohibited under subsection (a).

(8) In subsection (g), by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively, of this section, may submit a complaint so submitted shall be transmitted to the relevant Office of Inspector General for enforcement in accordance with such sections, including notice to the complainant of the referral and relevant procedures.

(3) The term 'employee'—(A) except as provided under subparagraph (B), means an individual performing services on behalf of an employer, including any individual performing services for an employer under a contract or grant with such employer (including a contractor, subcontractor, grantee, subgrantee, or agent of an employer); and (B) does not include any Federal employee or member of the uniformed services (as that term is defined in section 101(a)(5) of title 10)."

(6) In subsection (g), by redesignating subparagraphs (A) through (D) as (B) through (E), and by inserting, after paragraph (B), the following new paragraph:

"(F) The term 'Federal employer'—(i) with respect to covered funds—(I) the contractor, subcontractor, grantee, subgrantee, or recipient is an employer; and (II) any professional membership organization, certification or other professional body, any agent or licensee of the Federal Government, or any person acting directly or indirectly in the interest of an employer receiving covered funds is an employer; and (ii) with respect to covered funds received by a State or local government, the State or local government receiving the funds and any contractor, subcontractor of the State or local government; and (B) does not mean any department, agency, or other entity of the Federal Government, except with respect to a personal services contractor.

(7) The term 'protected individual' means—(A) a contractor, subcontractor, grantee, or subgrantee; (B) an employee, applicant or former employee of a contractor, subcontractor, grantee, or subgrantee; or (C) a personal services contractor who engages in activity for which any discrimination is prohibited under subsection (a).

(8) In subsection (g), by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively, of this section, may submit a complaint so submitted shall be transmitted to the relevant Office of Inspector General for enforcement in accordance with such sections, including notice to the complainant of the referral and relevant procedures.
SEC. 376. MODIFICATION AND EXTENSION OF AUTHORIZATION OF USE OF WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS RELATED TO REVITALIZATION AND RECAPITALIZATION OF DEFENSE INDUSTRIAL BASE FACILITIES.

Section 2208(u) of title 10, United States Code, is amended—

(1) in paragraph (2)(B), by striking "specified in subsection (a)(2)" and all that follows through the period at the end and inserting "shall be $20,000,000 instead of any dollar limitation specified in section 2208 of this title."; and

(2) by striking paragraph (4).

SA 3902. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3901 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 1601. MATTERS CONCERNING CYBER PERSONNEL REQUIREMENTS.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) determine the overall workforce requirement of the Department of Defense for cyber operation, information operation, and targeting personnel and military personnel (across the active and reserve components of the Armed Forces (other than the Coast Guard)) and civilian personnel, and in doing so shall—

(A) consider personnel in positions securing the Department of Defense Information Network and associated enterprise information technology, defense agencies and field activities, and combatant commands, including current billets primarily associated with the information environment and cyberspace domain and projected future billets;

(B) consider the mix between military and civilian personnel, active and reserve components, and the use of the National Guard;

(C) develop a workforce development plan that covers accessions, training, and education; and

(D) consider such other elements as the Secretary determines appropriate;

(2) assess current and future general information warfare, software, and cyber education curriculum and requirements for military and civilian personnel, including—

(A) acquisition personnel;

(B) accessions and recruits to the military services;

(C) cadets and midshipmen at the military service academies and enrolled in the Senior Reserve Officers’ Training Corps;

(D) information environment, software engineering, and cybersecurity military and civilian personnel; and

(E) non-information environment and cyberspace military and civilian personnel;

(3) identify appropriate locations for information warfare, software engineering, and cyber education for military and civilian personnel, including—

(A) the military service academies;

(B) the educational institutions described in section 215(b) of title 10, United States Code;

(c) E DUCATION DEFINED.—The term "education" includes formal education requirements, such as degrees and certification in targeted subject areas, but also general training, including—

(1) recruting;

(2) knowledge, skills, and abilities; and

(3) nonacademic professional development.

SA 3904. Mr. WARNOCK (for himself, Mrs. BLACKBURN, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 551. STUDY ON EMPLOYMENT OF MILITARY SPOUSES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study to identify employment barriers affecting military spouses.

(2) ELEMENTS.—The study conducted under paragraph (1) shall determine the following:
SA 3906. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of subtitle E of title III, add the following:

SEC. 376. REPORT ON INITIATIVES OF DEPARTMENT OF DEFENSE TO SOURCE LOCALLY AND REGIONALLY PRODUCED FOODS FOR INSTALLATIONS OF THE DEPARTMENT.
(a) In General.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report detailing—
(1) efforts by the Department of Defense to establish and strengthen “farm to base” initiatives to source locally and regionally produced foods for distribution at installations of the Department;
(2) efforts by the Department to collaborate with relevant Federal agencies, including the Department of Veterans Affairs and the Department of Agriculture, in efforts to procure locally and regionally produced foods;
(3) current procurement practices of the Department of Defense regarding food for consumption or distribution on installations of the Department;
(4) opportunities where procurement of locally and regionally produced foods would be beneficial to members of the Armed Forces, their families, military readiness by improving health outcomes for members near installations of the Department; and
(5) barriers currently preventing the Department from increasing procurement of locally and regionally produced foods or preventing farmers from partnering with nearby installations of the Department; and
(b) Recommendations.—The Comptroller General shall, in the report required under subsection (a), make recommendations to address the barriers identified in the report.
(c) Definitions.—In this section:
(1) LOCALITY.—The term “locality” means the area of a Department of Defense installation.
(2) REGION.—The term “region” means a region described in subsection (a).
(3) LOCAL OR REGIONAL.—The term “local or regional” means:
(A) in the case of a product produced or manufactured within the United States, such product;
(B) in the case of a service provided by a local business, such business;
(4) LOCAL OR REGIONAL SOURCES.—The term “local or regional sources” includes—
(A) local or regional farmers; and
(B) food processors located within a local or regional area.

SA 3907. Mr. WARNOCK (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of subtitle E of title VIII, insert the following:

SEC. 10. PRESERVATION OF MEMORIALS TO CHAPLAINS ON CHAPLAINS HILL AT ARLINGTON NATIONAL CEMETERY.
(a) Updates to Memorials.—The National Conference on Ministry to the Armed Forces, or any successor organization recognized in law for purposes of this section, may, at no cost to the Federal Government—
(1) update the memorial to Protestant chaplains located in Arlington National Cemetery, Virginia, with a granite, marble, or other stone base to host the bronze plaque of the memorial;
(2) add an additional plaque to such base that includes the name of each chaplain, verified as described in subsection (b), who died while on active duty since the original memorial was placed; and

(b) Correction and Maintenance of Memorial.—The Conference shall, as determined by the National Conference on Ministry to the Armed Forces or such successor organization; and
(2) make such updates and corrections to the memorial as may from time to time be necessary to ensure that the memorial to Catholic chaplains and the memorial to Jewish chaplains located in Arlington National Cemetery may from time to time
to time be needed as determined by the National Conference on Ministry to the Armed Forces or such successor organization.

(b) VERIFICATION OF NAMES.—The National Conference on Ministry to the Armed Forces, or any successor organization recognized in law for purposes of this section, may verify with the assistance of the Chief of Chaplains of the Navy, the Chief of Chaplains for the Air Force and the Space Force, and such agencies of the Department of Defense as the Secretary of the Army considers appropriate, the names of chaplains for memorialization in Arlington National Cemetery as of the date of the enactment of this Act.

SA 3909. Mr. WARNOCK (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 356. REPORT ON JOINT AND SHARED-USE CIVILIAN AIRPORTS AND USE OF FIREFIGHTING FOAM CONTAINING PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

Not later than March 1, 2022, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(1) The coordination between the Department of Defense and the Federal Aviation Administration regarding the joint and shared-use civilian airports that depend on emergency response services under the jurisdiction of the Department of Defense or the Federal Aviation Administration and the activities of the Department of Defense and the Federal Aviation Administration conducted at such airports.

(2) The progress of the Department and the Federal Aviation Administration in establishing a formal consultation system to coordinate the review process and final actions on firefighting foam containing perfluoroalkyl or polyfluoroalkyl substances with the operators of joint and shared-use civilian airports.

SA 3910. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 857. BRIEFING ON EXPANDED SMALL UNMANNED AIRCRAFT SYSTEMS CAPABILITY.

The Secretary of Defense shall, not later than January 30, 2022, provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the evaluation of commercially available small unmanned aircraft systems (herein referred to as "sUAS") with capabilities that align with the Department's priorities, including—

(1) the advisability of the release of the updated list titled "Blue sUAS 2.0" of the Defense Innovation Unit that contains available fixed wing and multirotor commercial small unmanned aircraft systems compliant with section 848 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92); and

(2) the advisability and feasibility of adding end-to-end sUAS solutions to such list, including the sUAS, supporting field management software, technical support, and training, all provided as an integrated collection and analysis capability.

SA 3911. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle VIII, the Defense Appropriations Act for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 3. FINDINGS.

This Act may be cited as the "United States Army Rangers Veterans of World War II Congressional Gold Medal Act!".

SEC. 2. DEFINITIONS.

In this Act—

(1) the term "Secretary" means the Secretary of the Treasury; and

(2) the term "United States Army Rangers Veteran of World War II" means any individual who—

(A) served in the Armed Forces—

(i) honorably; and

(ii) in an active duty status; and

(iii) at any time during the period beginning on June 19, 1942, and ending on September 2, 1945; and

(B) was assigned to a Ranger Battalion of the Army at any time during the period described in subparagraph (A)(iii).

SEC. 3. FINAL DISCUSSION.

Congress finds the following:

(1) In World War II, the Army formed 6 Ranger Battalions and 1 provisional battalion. All members of the Ranger Battalions were volunteers. The initial concept of Ranger units drew from the British method of using highly trained "commando" units and the military tradition of the United States of using light infantry for scouting and raiding operations.

(2) The Ranger Battalions of World War II comprised—

(A) the 1st Ranger Infantry Battalion, which was activated on June 19, 1942, in Northern Ireland;

(B) the 2d Ranger Infantry Battalion, which was activated on April 1, 1943, at Camp Forrest, Tennessee;

(C) the 3d Ranger Infantry Battalion, which was—

(i) activated as provisional on May 21, 1943, in North Africa; and

(ii) constituted on July 21, 1943, and concurrently consolidated with the provisional unit described in clause (i);

(D) the 4th Ranger Infantry Battalion, which was—

(i) activated as provisional on May 29, 1943, in North Africa; and

(ii) constituted on July 21, 1943, and concurrently consolidated with the provisional unit described in clause (i);

(E) the 5th Ranger Infantry Battalion, which was activated on September 1, 1943, at Camp Forrest, Tennessee;

(F) the 6th Ranger Infantry Battalion, which was—

(i) originally activated on January 20, 1941, at Fort Lewis, Washington, as the 96th Field Artillery Battalion; and

(ii) converted and redesignated on September 26, 1944, as the 6th Ranger Infantry Battalion; and

(G) the 29th Ranger Infantry Battalion, a provisional Army National Guard unit that was—

(i) activated on December 20, 1942, at Tidworth Barracks, England; and

(ii) disbanded on October 18, 1943.

(3) The first combat operations of Army Rangers occurred on August 19, 1942, when 50 Rangers took part in the British-Canadian raid on the French coastal town of Dieppe.

(4) The 1st Ranger Battalion, under the leadership of Major William O. Darby, was used to hold strength during the landings at Arzew, Algeria, during the North African campaign. Due to the success of the Rangers in several difficult battles, particularly at El Guettar in March and April of 1943, 2 additional Ranger Battalions were organized in North Africa.

(5) During the North African campaign, the 1st Ranger Battalion was awarded the Distinguished Unit Citation for its actions in Tunisia. On March 20, 1943, the Battalion penetrated enemy
lines and captured the position Djebel el Ank in a nighttime attack, taking more than 200 prisoners. Two days later, the battalion was attacked by the 10th Panzer division of the German Afrika Korps and, despite heavy losses, continued to defend its position. The following day, the 1st Battalion counter-attacked to clear high ground overlooking the position of the 10th Panzer division. These actions demonstrated the ability of the Rangers to fight in difficult terrain and the courage to endure despite being outnumbered and exposed to heavy enemy fire.

(6) The 29th Provisional Ranger Battalion was formed from volunteers drawn from the 29th Infantry Division stationed in England in the fall of 1942. The Battalion landed separately at Licata, Sicily, and was able to silence gun positions on an 82-foot cliff overlooking the invasion beaches.

(7) During the summer and fall of 1943, the 1st, 3rd, and 4th Ranger Battalions were heavily involved in the campaign in Sicily and the landing on the Italian peninsula. The 1st and 4th Ranger Battalions conducted a night amphibious landing in Sicily and secured the landing beaches with minimal opposition. The 3rd Battalion landed separately at Licata, Sicily, and was able to silence gun positions on an 82-foot cliff overlooking the invasion beaches.

(8) During the invasion of Italy, the 1st and 4th Ranger Battalions landed at Maiori with the mission of seizing the high ground and protecting the flank of the remainder of the main positions held by the United States. Enemy forces in the area were estimated to outnumber the Rangers by approximately 8 to 1. Despite these odds, the Rangers took the position after a 72-hour artillery barrage.

(9) After the invasion of Italy, Rangers continued to be used, often in night attacks, to seize key terrain ahead of the advancing Allied forces. At the Anzio beachhead, the majority of the 1st, 3rd, and 4th Ranger Battalions sustained heavy casualties after being cut off behind German lines. The Rangers had been ordered to infiltrate German positions under the cover of darkness and make a dawn attack on a critical road junction but were pinned down by enemy tanks and an elite German Panzer division. The Rangers fought for 12 hours of desperate fighting and a failed relief attempt, the majority of the Ranger force was killed, wounded, or captured. Only 6 Rangers survived from the 1st, and 3rd Battalions, out of more than 767 men, returned to friendly lines. The 4th Battalion, which had been in reserve, also suffered 60 killed and 120 wounded out of 550 men. These 3 battalions were inactivated and the survivors were transferred to other units.

(10) In the United States, and later in Scotland, the Ranger Battalions were formed to undertake operations in Western Europe. Those Battalions were engaged on D-Day, assaulting German positions at the Pointe du Hoc. The 3rd Ranger Battalion faced heavy combat through September of 1944. Specifically, Rangers in the 2nd Battalion, under the command of Lieutenant Colonel James E. Rudder, (A) overcame mines, machine gun fire, and enemy artillery while scaling the 100-foot high cliffs at Pointe du Hoc; (B) augmented heavy German efforts to retake the position; and (C) after reaching the top of the cliffs, moved inland roughly 1 mile and sustained heavy casualties while searching for, and ultimately destroying, a German heavy artillery battery.

(11) During June, July, and August of 1944, the 2nd and 5th Ranger Battalions were engaged in the campaign in Brest, which included close-range fighting in hedgerows and German strongpoints. Later, in operations in Western Germany, the Battalions were frequently used to attack in darkness and gain vital positions to pave the way for the main Allied forces. (12) During the final drive into Germany in late February and early March 1945, the 5th Ranger Battalion was cited for battle honors for successfully capturing a large German gun position in the Volary area; the 4th Ranger Battalion was cited for battle honors for its role in capturing a German gun position in the Brest area; the 3rd Ranger Battalion was cited for battle honors for its role in capturing a German gun position in the Saarluiten area; and the 2nd Ranger Battalion was cited for battle honors for its role in capturing a German gun position in the Soap area.

(13) The 6th Ranger Battalion operated in the Pacific. In the most notable exploit of the 6th Ranger Battalion, in January and February of 1945, the Battalion formed the nucleus of a relief force that liberated more than 500 Allied prisoners, including prisoners from the United States, from the Cebu prison camp in the Philippines. The 2d and 5th Ranger Battalions, the 1st Battalion of the 29th Infantry Division, armed with British commandos on 3 small-scale raids in November 1944, December 1944, and February 1945. The 3d Battalion of the 77th Infantry Division, armed with British commandos on 6 small-scale raids in November 1944, December 1944, and February 1945. The 4th Battalion of the 96th Infantry Division, armed with British commandos on 5 small-scale raids in November 1944, December 1944, and February 1945. The 5th Battalion of the 111th Infantry Division, armed with British commandos on 4 small-scale raids in November 1944, December 1944, and February 1945. The 6th Battalion of the 121st Infantry Division, armed with British commandos on 3 small-scale raids in November 1944, December 1944, and February 1945. The 7th Battalion of the 131st Infantry Division, armed with British commandos on 2 small-scale raids in November 1944, December 1944. The 8th Battalion of the 141st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 9th Battalion of the 151st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 10th Battalion of the 161st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 11th Battalion of the 171st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 12th Battalion of the 181st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 13th Battalion of the 191st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 14th Battalion of the 201st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 15th Battalion of the 211st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 16th Battalion of the 221st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 17th Battalion of the 231st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 18th Battalion of the 241st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 19th Battalion of the 251st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 20th Battalion of the 261st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 21st Battalion of the 271st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 22nd Battalion of the 281st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944. The 23rd Battalion of the 291st Infantry Division, armed with British commandos on 1 small-scale raid in November 1944.
SEC. 5. STATUS OF MEDAL.
(a) NATIONAL MEDAL.—The gold medal struck under section 4 shall be a national medal for the purposes of chapter 51 of title 31, United States Code, or any other Federal law, or any other item of numismatic value.
(b) NUMISMATIC ITEMS.—For the purposes of section 5134 of title 31, United States Code, all medals struck under section 4 shall be considered to be numismatic items.

SA 3913. Mr. CASEY submitted an amendment intended to be proposed to amended S.3667 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1061. 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 of the heading of such Act 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 Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Education, Health, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Ways and Means, the Committee on Armed Services, the Committee on Education and Labor, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) COMMITTEE.—The term ‘Committee’ means the Committee on National Critical Capabilities, established under section 1002.

“(3) CONTROL.—The term ‘control’ means the power, direct or indirect, whether exercised or not exercised, to determine, direct, or influence the policies affecting an entity, subject to regulations prescribed by the Committee.

“(4) COUNTRY OF CONCERN.—The term ‘country of concern’ means—

“(A) has the meaning given the term ‘foreign adversary’ in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (50 U.S.C. 4565(a)); or

“(B) may include a nonmarket economy country (as defined in section 771(b) of the Trade Act of 1980 (19 U.S.C. 1677(b))) identified by the Committee for purposes of this section by paragraph by regulation.

“(5) COVERED TRANSACTION.—

“(A) IN GENERAL.—Except as otherwise provided, the term ‘covered transaction’ means any of the following transactions, proposed or pending on or after the date of the enactment of this title:

“(i) A transaction by a United States business that—

“(I) shifts or relocates to a country of concern, or transfers to an entity of concern, the design, development, production, manufacture, fabrication, supply, servicing, testing, management, operation, investment, owner-
(J) The Department of Health and Human Services.

(K) The Department of Agriculture.

(L) The Department of Labor.

(M) The head of each agency of the Federal government the President determines appropriate, generally or on a case-by-case basis.

(2) EX OFFICIO MEMBERS.—(A) In addition to the members of the Committee specified in paragraph (1), the following shall, except as provided in subparagraph (B), be nonvoting, ex officio members of the Committee:

(i) The Director of National Intelligence.


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

(iv) The Director of the Centers for Disease Control and Prevention.

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

(vi) The Chairperson of the Federal Communications Commission.


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

(ix) The Administrator of the Federal Aviation Administration.

(3) DESIGNATION AS VOTING MEMBERS.—The chairperson of the Committee may designate any of the officials specified in clauses (i) 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, the United States Trade Representative shall consult with the Secretary of Defense and the Secretary of Commerce.

(d) DESIGNATION OF OFFICIALS TO CARRY OUT DUTIES RELATED TO COMMITTEE.—The head of each agency represented on the Committee shall designate an official, at or equivalent to the level of Assistant Secretary in the Department of the Treasury, who is appointed by the President, by and with the advice and consent of the Senate, to carry out such duties related to the Committee as the head of the agency may assign.

SEC. 1003. REVIEW OF COVERED TRANSACTIONS.

(a) MANDATORY NOTIFICATION.—A United States business that engages in a covered transaction shall submit a written notification of the transaction to the Committee.

(b) REVIEW.—

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

(A) review the transaction to determine if the transaction is likely to result in an unacceptable risk to one or more national critical capabilities, including by considering factors specified in section 1005; and

(B) if the Committee determines under subparagraph (A) that the transaction poses a risk described in that subparagraph, make recommendations—

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

(ii) to Congress for the establishment or expansion of Federal programs to support the production or supply of articles and services described in section 1001(a)(11) in the United States.

(2) UNILATERAL INITIATION OF REVIEW.—The Committee may initiate a review under paragraph (1) of a covered transaction for which written notification is not submitted under subsection (a).

(3) INITIATION OF REVIEW BY REQUEST FROM CONGRESS.—The Committee shall initiate a review under paragraph (1) of a covered transaction if the chairperson and the ranking member of the appropriate congressional committees jointly request the Committee to review the transaction.

(b) TREATMENT OF BUSINESS CONFIDENTIAL INFORMATION.—The Committee shall submit each notification required by subsection (a) to the Committee—

(1) in a form that includes business confidential information and is appropriate for the classification of national critical capabilities; and

(2) in a form that omits business confidential information and is appropriate for the classification of national critical capabilities.

SEC. 1004. ACTION BY THE PRESIDENT.

(a) IN GENERAL.—Subject to subsection (d), the President may take such action for such time as the President considers appropriate to address or mitigate any unacceptable risk posed by a covered transaction to one or more national critical capabilities, including suspending or prohibiting the covered transaction.

(b) ANNOUNCEMENT BY THE PRESIDENT.—The President shall announce the decision on whether to take action pursuant to subsection (a) with respect to a covered transaction not later than 15 days after the date on which the review of the transaction under section 1003 is completed.

(c) ENFORCEMENT.—The President may direct the Attorney General of the United States to take any action that is appropriate, including applying for or granting trade or investment relief, in the district courts of the United States, in order to implement and enforce this section.

(d) POWERS 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;

(2) provisions of law (other than this section) do not, in the judgment of the President, provide adequate and appropriate authority for the President to protect such capabilities;

(3) the factors to be considered by the President in determining whether to take action under subsection (a) that the President considers relevant, including—

(i) the long-term strategic economic, national security, and crisis preparedness interests of the United States; (ii) the history of distortive or predatory trade practices in each country in which a foreign person that is a party to the transaction is housed; (iii) control and beneficial ownership (as determined in accordance with section 847 of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2509 note) of each foreign person that is a party to the transaction; and

(iv) the impact on the domestic industry and resulting action, including the domestic skills base, taking into consideration any pattern of foreign investment in the domestic industry.

SEC. 1006. SUPPLY CHAIN SENSITIVITIES.

(a) DEFINITIONS.—For the purposes of this section—

(1) the term ‘national critical capabilities’ means the functions, including the following industries:

(A) Defense.

(B) Medical.

(C) Communications, including electronic and communications components.

(D) Transportation.

(E) Aerospace, including space launch.

(F) Robotics.

(G) Artificial intelligence.

(H) Semiconductors.

(I) Shipbuilding.

(J) Water, including water purification.

(2) the term ‘national security’ means the security of the United States; and

(b) REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT TO CONGRESS.—(A) IN GENERAL.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and annually thereafter, the Committee shall submit to the appropriate congressional committees a report—

(i) on the determination under section 1006 with respect to sensitivities and risks described in articles described in section 1001(a)(11); and

(ii) reviewing the supplies and services covered by this section.

(B) CONTENT.—The report required by paragraph (1) shall—

(i) assess whether identification of additional national critical capabilities under section 1003 is necessary; and

(ii) assessing the overall impact of such reviews on national critical capabilities.

(2) FORM OF REPORT.—The report required by paragraph (1) shall be in unclassified form but may include a classified annex.
"(b) USE OF DEFENSE PRODUCTION ACT OF 1950 AUTHORITIES.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Committee shall submit to Congress a report that includes recommendations relating to the use of authorities under title III of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to make investments to enhance national critical capabilities and reduce dependency on materials and services imported from foreign countries.

"SEC. 1008. REQUIREMENT FOR REGULATIONS.

"(a) IN GENERAL.—The Committee shall prescribe regulations to carry out this title.

"(b) ELEMENTS.—Regulations prescribed to carry out this title shall—

"(1) provide for the imposition of civil penalties for any violation of this title, including any mitigation agreement entered into, conditions imposed, or order issued pursuant to this title; and

"(2) include specific examples of the types of—

"(A) the transactions that will be considered to be covered transactions; and

"(B) the articles, supply chains, and services that will be considered to be national critical capabilities.

"(c) COORDINATION.—In prescribing regulations to carry out this title, the Committee shall coordinate with the United States Trade Representative, the Under Secretary of Commerce for Industry and Security, and the Committee on Foreign Investment in the United States to avoid duplication of effort.

"SEC. 1010. REQUIREMENTS RELATED TO GOVERNMENT PROCUREMENT.

"(a) IN GENERAL.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Federal Acquisition Regulation shall be revised to require each person that is a prospective contractor for an executive agency to disclose the supply chains the person would use to carry out the contract and the extent to which the person would depend on articles and services imported from foreign countries, including the percentage of such materials and services imported from countries of concern.

"(b) MATERIALITY.—The head of an executive agency shall consider the failure of a person to make the disclosures required by subsection (a) to be material determinants in awarding a contract to that person.

"(c) FEDERAL ACQUISITION REGULATION.—The revisions to the Federal Acquisition Regulation required under subsection (a) shall apply with respect to contracts for which solicitations are issued or are awarded on or after the date that is 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.

"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 that are allies of the United States to secure coordination of protocols and procedures with respect to covered transactions with countries of concern; and

"(2) upon adoption of protocols and procedures described in paragraph (1), shall work with those governments to establish information sharing regimes.

"SEC. 1012. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

"SEC. 1013. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

"Nothing in this title may be construed as prohibiting or limiting the free and fair flow of commerce outside of the United States that does not pose an unacceptable risk to a national critical capability.

"(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

"TITLES—NATIONAL CRITICAL CAPABILITIES REVIEWS

"Sec. 1003. Definitions.

"Sec. 1004. Action by the President.

"Sec. 1005. Factors to be considered.

"Sec. 1006. Supply chain sensitivities.

"Sec. 1007. Identification of additional national critical capabilities.

"Sec. 1008. Reporting requirements.

"Sec. 1009. Requirement for regulations.

"Sec. 1010. Requirement 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.''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. COONS. 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 9:30 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 Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing on nominations.

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 Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND DATA SECURITY

The Subcommittee on Consumer Protection, Product Safety, and Data Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing.

ENSURING COMPLIANCE AGAINST DRUG DIVERSION ACT OF 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 1899 and the Senate proceed to its immediate consideration.

THE PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1899) to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1899) was ordered to a third reading, was read the third time, and passed.