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

SA 2047. Mr. Johnson submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2048. Mr. Johnson submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2049. Mr. Van Hollen (for himself, Mr. Tillis, Mr. Warnock, Mr. Cardin, and Mr. Merkley) submitted an amendment intended to be proposed to him by the bill S. 1260, supra; which was ordered to lie on the table.

SA 2050. Mr. Risch (for himself, Mr. Menendez, Mr. Rubio, and Mr. Cardin) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2051. Mr. Braun (for himself and Ms. Stabenow) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2052. Mr. Cruz (for himself, Mr. Johnson, Mr. Barrasso, Mr. Rubio, Mr. Cotton, and Mr. Cornyn) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2053. Mr. Portman (for himself, Mr. Heinrich, and Mr. Luján) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2054. Mr. Perdue (for himself, Mr. Reed, Mr. Manchin, Ms. Hassan, Mr. Grassley, Ms. Sinema, and Mrs. Capito) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2055. Mr. Paul submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2056. Mr. Paul submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2057. Mr. Barrasso (for himself, Ms. Murkowski, Ms. Lummis, Mr. Lankford, Mr. Cramer, Mr. Burr, and Mr. Hoeven) submitted an amendment intended to be proposed to him by the bill S. 1260, supra; which was ordered to lie on the table.

SA 2058. Mr. Cassidy (for himself, Mr. Durbin, Ms. Hirono, Mr. Coons, Mr. Warner, and Mr. Grassley) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2059. Mr. Portman (for himself, Mr. Luján, Ms. Cortez Masto, and Mr. Cornyn) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2060. Mr. Leahy (for himself and Mr. Tillis) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2061. Mr. Brown (for himself and Mr. Lankford) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2062. Mr. Sasse (for himself and Mr. Coons) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2063. Mr. Sasse submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2064. Mr. Sasse submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2065. Mr. Tuberville submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2066. Mr. Hagerty submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2067. Mr. Durbin submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2068. Mr. Bennet submitted an amendment intended to be proposed to him by the bill S. 1260, supra; which was ordered to lie on the table.

SA 2069. Mr. Wicker submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2070. Mr. Bennet submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2071. Mr. Bennet (for himself and Mr. Sasse) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2072. Mr. Bennet (for himself and Mr. Sasse) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2073. Mr. Tillis (for himself and Ms. Hassan) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2074. Mrs. Blackburn submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2075. Ms. Hassan submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2076. Ms. Hassan submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2077. Mr. Brown submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2078. Mr. Brown submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2079. Mr. Brown submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2080. Mr. King (for himself and Mr. Lankford) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2081. Ms. Baldwin submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2082. Mr. Luján (for himself, Mr. Capito, and Mr. Manchin) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2083. Ms. Cortez Masto (for herself, Mr. Durbin, Mr. Manchin, Ms. Hassan, Mr. Grassley, Ms. Sinema, and Mrs. Capito) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2084. Mr. Merkley submitted an amendment intended to be proposed to amendment SA 1977 submitted by Mr. Merkley and intended to be proposed to the amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2085. Mrs. Blackburn submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2086. Mr. Moran (for himself and Mr. Sanders) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2087. Ms. Ernst submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2088. Ms. Murkowski submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2089. Ms. Murkowski submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2090. Mr. Kaine (for himself and Mr. Portman) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2091. Ms. Warren submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, supra; to establish a critical supply chain resilience program, and for other purposes; to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act,
and annually thereafter, the Federal Trade Commission, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees, the Secretary of the Interior, the Secretary of Agriculture, the Committee on Foreign Investment in the United States, and the Commissioner of Food and Drugs on foreign invest- ment from the People’s Republic of China in the pharmaceutical industry of the United States.

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

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

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

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

(c) AUTHORITY.—The Federal Trade Commission shall have authority under section 6 of the Federal Trade Commission Act (15 U.S.C. 41) to study the reports required by subsection (a) to prepare the report required by subsection (a).

(d) PUBLIC LAW.—The Federal Trade Commission shall publish an unclassified sum- mary of the report required by subsection (a) on a publicly available internet website of the Commission.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘‘appropriate congressional committees’’ means—

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

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

SA 2035. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic secu- rity, science, research, innovation, manufacturing, and job creation, to es- tablish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 261, strike lines 16 through 23 and insert the following:
Research of the National Science Foundation

‘‘(E) ensuring that at least one eligible consortium designated as a regional technology hub program is headquartered in a low concentration and reliance on manufacturing in the United States that is eligible to receive fund- ing from the Established Program to Stimu- late Competitive Research of the National Science Foundation, which was ordered to lie on the table; as follows:

SEC. 25. REGULATION OF FOREIGN MANUFAC- TURERS OF CYLINDERS USED IN THE SORTING HAZARDOUS MATE- RIALS.

(a) DEFINITIONS.—In this section:

(1) CYLINDER.—The term ‘‘cylinder’’ means any cylinder specified under any of sections 178.36 through 178.68 of title 49, Code of Fed- eral Regulations (or successor regulations).

(2) FOREIGN MANUFACTURER OF CYLINDERS; FMI.—The term ‘‘foreign manufacturer of cylinders’’ or ‘‘FMI’’ means an entity that manufactures cylinders outside of the United States that are intended to be represented, marked, certified, or sold as qualified for use in transporting a hazardous material in com- merce in the United States.

(b) In good standing.—The term ‘‘in good standing’’, with respect to an FMI, means that the FMI—

(1) is approved by the Secretary pursuant to section 107.807 of title 49, Code of Federal Regula- tions (or a successor regulation); and

(2) has demonstrated 3 years of compliance with—

(i) part 107 of title 49, Code of Federal Regu- lations (or a successor regulation); and

(ii) chapter 51 of title 49, United States Code.

(c) AUTHORITY.—The Secretary may—

(1) promulgate regulations to provide that an FMI be approved to perform the purpose of a power-generation project in an IDA-eligible country or an IDA-blend country; or

(2) reject a power-generation project in an IDA-eligible country or an IDA-blend country.

(d) DEFINITIONS.—In this section:

(1) IDA-ELIGIBLE COUNTRY.—The term ‘‘IDA-eligible country’’ means a country that is eligible to receive funding from the International Development Association and the International Bank for Reconstruction and Devel- opment.

(2) IDA-BLEND COUNTRY.—The term ‘‘IDA-blend country’’ means a country eligible for both IDA and IBRD support from the International Development Association and the International Bank for Reconstruction and Development.

SA 2037. Mr. PORTMAN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic secu- rity, science, research, innovation, manufac- turing, and job creation, to es- tablish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of divi- sion B, insert the following:

SEC. 25. REGULATION OF FOREIGN MANUFACTURERS OF CYLINDERS USED IN THE SORTING HAZARDOUS MATE- RIALS.

(a) DEFINITIONS.—In this section:

(1) CYLINDER.—The term ‘‘cylinder’’ means any cylinder specified under any of sections 178.36 through 178.68 of title 49, Code of Fed- eral Regulations (or successor regulations).

(2) FOREIGN MANUFACTURER OF CYLINDERS; FMI.—The term ‘‘foreign manufacturer of cylinders’’ or ‘‘FMI’’ means an entity that manufactures cylinders outside of the United States that are intended to be represented, marked, certified, or sold as qualified for use in transporting a hazardous material in com- merce in the United States.

(b) In good standing.—The term ‘‘in good standing’’, with respect to an FMI, means that the FMI—

(1) is approved by the Secretary pursuant to section 107.807 of title 49, Code of Federal Regu- lations (or a successor regulation); and

(2) has demonstrated 3 years of compliance with—

(i) part 107 of title 49, Code of Federal Regu- lations (or a successor regulation); and

(ii) chapter 51 of title 49, United States Code.

(c) AUTHORITY.—The Secretary may—

(1) promulgate regulations to provide that an FMI be approved to perform the purpose of a power-generation project in an IDA-eligible country or an IDA-blend country; or

(2) reject a power-generation project in an IDA-eligible country or an IDA-blend country.

(d) DEFINITIONS.—In this section:

(1) IDA-ELIGIBLE COUNTRY.—The term ‘‘IDA-eligible country’’ means a country that is eligible to receive funding from the International Develop- ment Association and the International Bank for Reconstruction and Devel- opment.

(2) IDA-BLEND COUNTRY.—The term ‘‘IDA-blend country’’ means a country eligible for both IDA and IBRD support from the International Development Association and the International Bank for Reconstruction and Development.

SA 2037. Mr. PORTMAN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic secu- rity, science, research, innovation, manufac- turing, and job creation, to es- tablish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of divi- sion B, insert the following:

SEC. 25. REGULATION OF FOREIGN MANUFACTURERS OF CYLINDERS USED IN THE SORTING HAZARDOUS MATE- RIALS.

(a) DEFINITIONS.—In this section:

(1) CYLINDER.—The term ‘‘cylinder’’ means any cylinder specified under any of sections 178.36 through 178.68 of title 49, Code of Fed- eral Regulations (or successor regulations).

(2) FOREIGN MANUFACTURER OF CYLINDERS; FMI.—The term ‘‘foreign manufacturer of cylinders’’ or ‘‘FMI’’ means an entity that manufactures cylinders outside of the United States that are intended to be represented, marked, certified, or sold as qualified for use in transporting a hazardous material in com- merce in the United States.

(b) In good standing.—The term ‘‘in good standing’’, with respect to an FMI, means that the FMI—

(1) is approved by the Secretary pursuant to section 107.807 of title 49, Code of Federal Regu- lations (or a successor regulation); and

(2) has demonstrated 3 years of compliance with—

(i) part 107 of title 49, Code of Federal Regu- lations (or a successor regulation); and

(ii) chapter 51 of title 49, United States Code.

(c) AUTHORITY.—The Secretary may—

(1) promulgate regulations to provide that an FMI be approved to perform the purpose of a power-generation project in an IDA-eligible country or an IDA-blend country; or

(2) reject a power-generation project in an IDA-eligible country or an IDA-blend country.

(d) DEFINITIONS.—In this section:

(1) IDA-ELIGIBLE COUNTRY.—The term ‘‘IDA-eligible country’’ means a country that is eligible to receive funding from the International Develop- ment Association and the International Bank for Reconstruction and Devel- opment.

(2) IDA-BLEND COUNTRY.—The term ‘‘IDA-blend country’’ means a country eligible for both IDA and IBRD support from the International Development Association and the International Bank for Reconstruction and Development.
CONGRESSIONAL RECORD — SENATE
May 26, 2021

SA 2038. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1290, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resilience program, and for other purposes; which was ordered to lie on the table; as follows:

In section 611, insert at the end the following:

(j) Limitation.—In carrying out this section and section 612, the Secretary shall ensure that no Federal funding is made available for any program or project that duplicates another federally funded program.

SA 2040. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1290, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resilience program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 967, strike line 11 and all that follows through page 972, line 9, and insert the following:

(d) Appointment.—The President shall appoint, by and with the consent of the Senate, an Ambassador-at-large for Arctic Affairs who shall—

(1) be responsible for Arctic affairs; and
(2) report directly to the Secretary of State.

(e) Duties.—The Ambassador-at-large for Arctic Affairs shall—

(1) facilitate the development and coordination of United States foreign policy in the Arctic Region relating to—
(A) strengthening institutions for cooperation among the Arctic nations;
(B) enhancing scientific monitoring and research on local, regional, and global environmental issues;
(C) protecting the Arctic environment and conservation of its biologic resources;
(D) promoting responsible natural resource management and economic development; and
(E) involving Arctic indigenous people in decisions that affect their communities;
(2) coordinate the diplomatic objectives with respect to the activities described in paragraph (1), and, as appropriate, represent the United States with other nations that address international cooperation and foreign policy matters in the Arctic Region;
(3) help inform, in coordination with the Bureau of Economic and Business Affairs, transnational commerce and commercial maritime transit in the Arctic Region;
(4) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region;
(5) make available the methods and approaches on the integration of environmental science and data to other regional security planning programs in the Department of State to better ensure that broader decision making processes may more adequately account for the changing environment;

(6) work with the Department of State to facilitate the implementation of, an Arctic Region Security Policy in accordance with subsection (g).

(7) use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations.
to support the principles of the Arctic Region Security Policy implemented pursuant to subsection (g); (8) coordinate Arctic policy with the Bureau of European and Eurasian Environmental and Scientific Affairs, the Bureau of European and Eurasian Affairs, and other relevant bureaus; (9) set the direction of the President and the Secretary of State, represent the United States with respect to matters and cases relevant to Arctic affairs in—
(A) contact with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Arctic Council, and other international organizations to which the United States is a member; and
(B) multilateral conferences and meetings relating to Arctic affairs;
(10) serve as the principal advisor to the President and the Secretary of State regarding matters affecting Arctic affairs;
(11) make recommendations regarding the policies of the United States relating to Arctic affairs;
(12) assist the Bureau of European and Eurasian Affairs with the development and implementation of the United States’ Arctic Region Security Policy pursuant to subsection (g); and
(13) perform such other duties and exercise such powers as the Secretary of State shall prescribe.

(f) FUNDING.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(g) ARCTIC REGION SECURITY POLICY.—The Bureau of European and Eurasian Affairs shall be the lead bureau for developing and implementing the United States’ Arctic Region Security Policy, in coordination with the Ambassador-at-large for Arctic Affairs, the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of Political-Military Affairs, embassies, other regional bureaus, and relevant offices to advance United States national security interests, including through conflict prevention efforts, security assistance, humanitarian disaster response and prevention, and economic and other relevant assistance programs.

(1) facilitate the development and coordination of United States foreign policy in the Arctic Region; (2) strengthen the information, data, and analysis collected by the United States to prevent the escalation of security tensions by mitigating against the militarization of Arctic waters; (3) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and work collaboratively with international partners to ensure the development of Arctic policy in line with the Arctic Council; (4) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region; (5) coordinate the national strategy for the Arctic security cooperation and the coordination of all United States initiatives and assistance programs across agencies to protect the national security of the United States and its allies and partners.

(i) STRATEGIC GOALS.—The Secretary of State shall prescribe the strategic goals for the implementation of the United States’ Arctic Region Security Policy, in coordination with the President and the Secretary of State regarding matters affecting Arctic affairs.

(j) INTELLIGENCE.—The Secretary of State shall provide the Ambassador-at-large with such intelligence as may be necessary to carry out the duties described in subsection (e).

(k) SECURING THE ARCTIC REGION.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(l) COORDINATING A-national SECURITY.—The Secretary of State shall coordinate the national security response to the effects of environmental change and increased civil and military activity by Arctic nations and other nations that may result from increased accessibility of the Arctic Region;

(m)믜 the ‘support the principles of the Arctic Region Policy implemented pursuant to subsection (g); (n) coordinate Arctic policy with the Bureau of European and Eurasian Environmental and Scientific Affairs, the Bureau of European and Eurasian Affairs, and other relevant bureaus; (o) set the direction of the President and the Secretary of State, represent the United States with respect to matters and cases relevant to Arctic affairs in—
(A) contact with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Arctic Council, and other international organizations to which the United States is a member; and
(B) multilateral conferences and meetings relating to Arctic affairs;
(c) serve as the principal advisor to the President and the Secretary of State regarding matters affecting Arctic affairs;
(d) make recommendations regarding the policies of the United States relating to Arctic affairs;
(e) assist the Bureau of European and Eurasian Affairs with the development and implementation of the United States’ Arctic Region Security Policy pursuant to subsection (g); and
(f) perform such other duties and exercise such powers as the Secretary of State shall prescribe.

(F) FUNDING.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(G) ARCTIC REGION SECURITY POLICY.—The Bureau of European and Eurasian Affairs shall be the lead bureau for developing and implementing the United States’ Arctic Region Security Policy, in coordination with the Ambassador-at-large for Arctic Affairs, the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of Political-Military Affairs, embassies, other regional bureaus, and relevant offices to advance United States national security interests, including through conflict prevention efforts, security assistance, humanitarian disaster response and prevention, and economic and other relevant assistance programs.

(1) facilitate the development and coordination of United States foreign policy in the Arctic Region; (2) strengthen the information, data, and analysis collected by the United States to prevent the escalation of security tensions by mitigating against the militarization of Arctic waters; (3) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and work collaboratively with international partners to ensure the development of Arctic policy in line with the Arctic Council; (4) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region; (5) coordinate the national strategy for the Arctic security cooperation and the coordination of all United States initiatives and assistance programs across agencies to protect the national security of the United States and its allies and partners.

(i) STRATEGIC GOALS.—The Secretary of State shall prescribe the strategic goals for the implementation of the United States’ Arctic Region Security Policy, in coordination with the President and the Secretary of State regarding matters affecting Arctic affairs.

(j) INTELLIGENCE.—The Secretary of State shall provide the Ambassador-at-large with such intelligence as may be necessary to carry out the duties described in subsection (e).

(k) SECURING THE ARCTIC REGION.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(l) COORDINATING A-national SECURITY.—The Secretary of State shall coordinate the national security response to the effects of environmental change and increased civil and military activity by Arctic nations and other nations that may result from increased accessibility of the Arctic Region;

(m)
and vulnerability assessments into the decision making process on foreign assistance awards to Greenland;

(5) to advance principles of good governance and cooperating with Arctic nations on collaborative programs—

(A) to responsibly manage natural resources in the Arctic Region;

(B) to share the burden of ensuring maritime safety in the Arctic Region;

(C) to prevent the escalation of security tensions by mitigating against the militarization of the Arctic Region;

(D) to develop mutually agreed upon multilateral policies among Arctic nations on the management of international transit routes through the Arctic Region and work cooperatively on the transit policies for access to and transit in the Arctic Region by non-Arctic nations;

(E) to facilitate the development of Arctic Region Security Action Plans to ensure stability and public safety in disaster situations in a humane and responsible fashion; and

(F) to evaluate the vulnerability, security, survivability, and resiliency of United States interests and non-defense assets in the Arctic Region.

SA 2042. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 966, beginning on line 13, strike "and" and all that follows through line 15 and insert the following:

(F) establishing a series of deep-water ports in the United States Arctic and North Pacific in order to respond to and monitor activities such as illegal fishing, increased shipping traffic, support search and rescue, United States commerce, and scientific research;

(G) reinstating the Arctic Executive Steering Committee (AESC) as a permanent office in the Executive Office of the President and naming a chair of the Committee within 30 days of the date of the enactment of this Act.

SA 2044. Mr. LEE (for himself, Mr. PAUL, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a United States, its territories or possessions, its armed forces, or other United States citizens overseas; or

(2) Congress has enacted an authorization for the use of military force.

SEC. 12. REQUIREMENT FOR AN AUTHORIZATION FOR THE USE OF MILITARY FORCE.

Notwithstanding the War Powers Resolution (Public Law 93–148; 50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), any other provision of law, and any obligations under the Japanese Treaty, the Philippines Treaty, the U.S. Australia New Zealand Agreement, the Republic of Korea Treaty, the Southeast Asia Treaty, or the President may not introduce members of the Armed Forces into hostilities in or involving the People’s Republic of China unless:

(1) such action is necessary, for a period of no longer than 30 days, to repel a sudden attack, or the concrete, specific, and immediate threat of such a sudden attack, upon the United States, its territories or possessions, its armed forces, or other United States citizens overseas; or

(2) Congress has enacted an authorization for the use of military force.

SA 2045. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12. U.S. DEVELOPMENT CORPORATION.

(a) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) support the growth of sectors most critical to the economic security and competitiveness of the United States;

(2) help vital technologies make the transition from universities and labs to commercial success, including—

(A) those technologies that are civilian in nature, including microelectronics, nanotechnology biotechnology, advanced manufacturing;

(B) those technologies with military implications, including hypersonic flight, quantum computing, and artificial intelligence;

and

(C) other technologies that could enhance the soft power of the United States and be exported to allies of the United States;

(3) restore the entrepreneurial dynamism of the United States, and for other United States economic development of the United States; and

(C) in regions of the country or owned by individuals of demographic groups with historically low access to capital; and

(4) fill gaps in private sector financing and correct for underinvestment in key areas with a longer-time horizon by—

(A) making direct loans and equity investments;

(B) drawing financing from multiple sources, including the banking system, institutional investors, and others; and

(C) scaling up promising investment and lending methods, including revenue-based lending, equity-loan hybrid lending, technology-focused enterprise development financial institutions, and lending by local investment funds.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after enactment, the Secretary of Treasury, in consultation with the Secretary of Commerce, shall submit to Congress a report advising on the design of a United States Government-owned- operated corporation, known as the U.S. Development Corporation, charged with supporting the policies described in subsection (a).

(2) CONTENTS.—The report required under paragraph (1) shall include an assessment of—

(A) potential financing authorities of the U.S. Development Corporation, including direct loans, guarantees, equity investments, and appropriate terms and conditions for each;

(B) ways in which the U.S. Development Corporation could utilize expertise across the United States Government and the private sector to evaluate global technological processes and market trends in the identification of priority technologies, with both near- and long-term time horizons; and

(C) the necessary initial and ongoing investment of the Federal Government to achieve the policies described in subsection (a).

SA 2046. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:
SA 2048. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2528. ASSESSMENT OF EXISTING LARGE POWER TRANSFORMERS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this division, the Secretary of Energy shall prepare and submit to Congress a report containing the results of the assessment described in subsection (b).

(b) ASSESSMENT.—The Secretary of Energy shall conduct an assessment of existing large power transformers in the United States. The assessment shall include the following:

(1) An analysis on the country of origin of existing large power transformers currently installed in the bulk power system.

(2) An assessment of the supply chain vulnerabilities of large power transformers.

(3) An assessment of the vulnerabilities of large power transformers to cyber or physical attacks.

SA 2049. Mr. VAN HOLLEN (for himself, Mr. TILLIS, Mr. WARNOCK, Mr. CARDIN, and Mr. COONS) submitted an amendment an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. HIGH RESEARCH ACTIVITY STATUS HBCUS PILOT PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Historically Black Colleges and Universities hold a unique position in our efforts to diversify the science, technology, engineering, and mathematics academic and workforce communities.

(2) Even though our Nation’s Historically Black Colleges and Universities make up just 3 percent of the colleges and universities in the United States, they graduate 25 percent of African-American students with bachelor’s degrees in science, technology, engineering, and mathematics fields.

(3) Historically Black Colleges and Universities are the institution of origin among almost 30 percent of Black graduates of science and engineering doctorate programs.

(4) Historically Black Colleges and Universities are leaders of our Nation’s research and development enterprise, and they are paving the way across sectors, having received over 1,000 utility patents in 40 years.

(5) A team of computer scientists at Morgan State University are conducting research to automate detection of concepts in biomedical images to reduce the burdens of annotation and interpretation of medical images while providing a decision support system for medical practices.

(6) Researchers at Howard University conducted a study across 6 decades to determine the underlying causes of the recent rapid increase in the number of hepatocellular carcinoma and liver metastases in Washington, DC, which is disproportionately impacting the Black population.

(7) As the Nation’s largest producer of African American engineers, North Carolina A&T University and its researchers are leaders in autonomous vehicle research, creating advanced powertrain systems that work in water, on land, and in flight and uncovering new military, supply chain, and personal mobility implications.

(8) In 2019, Historically Black Colleges and Universities received $731,000,000, or about 0.8 percent of the $94,500,000,000 in Federal funding to institutions of higher education for research and development.

(9) This number is a marked decrease from fiscal year 2018, when Historically Black Colleges and Universities received $804,000,000 in Federal research and development funding.

(10) While there are 11 high research activity status Historically Black Colleges and Universities—Clark Atlanta University, Delaware State University, Florida A&M University, Hampton University, Howard University, Jackson State University, Morgan State University, North Carolina A&T University, Tennessee State University, Texas Southern University, and University of Maryland Eastern Shore—there are no very high research activity status Historically Black Colleges and Universities.

(11) Meaningfully investing in the research capacity of Historically Black Colleges and Universities is an investment in our Nation’s future and will help meet the accelerating science, technology, engineering, and mathematics workforce demands in the United States.

(b) PURPOSES.—The purposes of the program established under this section shall be:

(1) to enable high research activity status Historically Black Colleges and Universities to achieve very high research activity status; and

(2) to increase the national number of African-American undergraduate and graduate students with degrees in science, technology, engineering, and mathematics.

(c) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ‘‘Director’’ means the Director of the National Science Foundation.

(2) FEDERAL SCIENCE AGENCY.—The term ‘‘Federal science agency’’ means any Federal agency with an annual extramural research expenditure of over $100,000,000.

(3) HIGH RESEARCH ACTIVITY STATUS.—The term ‘‘high research activity status’’ means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ‘‘Historically Black College or University’’ has the meaning given the term ‘‘very high research activity status’’ in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).
(1) PROGRAM.—The Director is authorized to establish and carry out, using funds made available for research activities across all Foundation research directorates, a pilot program to support research activities at Historically Black Colleges or Universities (HBCUs) that will allow the institution to achieve very high research activity status by the end of the 10-year period. The Director shall submit an application to the Director of the National Science and Technology Council, the head of the Department of Defense, the Secretary of Energy, the head of the National Aeronautics and Space Administration, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, and the Secretary of Health and Human Services, including the heads of other such agencies as determined relevant by the National Science Foundation, the National Aeronautics and Space Administration, the Department of Agriculture, the Department of Commerce, the Department of Labor, and the Department of Health and Human Services.

(2) CONTENTS.—The application submitted under paragraph (1) shall include, at a minimum:

(i) the plan for increasing the level of research activity and achieving very high research activity status within 10 years of the grant award, including measurable milestones such as growth in research expenditures, number of research doctoral degrees awarded, faculty engaged in research, and other relevant factors;

(ii) how the institution of higher education will sustain the increased level of research activity beyond the duration of the award; and

(iii) how the implementation of the proposed plan will be evaluated and assessed.

(3) PROGRAM COMPONENTS.—

(a) STRATEGIC AREAS OF SCIENTIFIC RESEARCH.—Through coordination with Historically Black Colleges or Universities that are eligible to participate, the Director shall establish strategic areas of scientific research that are necessary to achieve very high research activity status and are conducive to achieving very high research activity status.

(b) USE OF FUNDS.—An institution that receives a grant under this section shall use the grant funds to support research activities, including:

(i) faculty professional development;

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

(iii) laboratory equipment and instrumentation; and

(iv) other activities necessary to build research capacity.

(c) RESEARCH ASSESSMENT.—

(i) IN GENERAL.—An institution that submits a proposal for a grant under this section shall submit with their proposal a plan that describes the institution’s plan to achieve very high research activity status, including making investments with institutional and non-Federal funds, to achieve that status within a decade of the grant award, to the extent practicable.

(ii) HISTORICALLY BLACK COLLEGES OR UNIVERSITIES.—An institution that receives a grant under this section shall submit an updated plan described in clause (i) not later than once every 3 years, including the projected development of progress in achieving very high research activity status.

(D) TRANSITION ELIGIBILITY.—The Director may consider creating pathways for new Historically Black Colleges or Universities to enter into the program under this section as participation pathways to achieve very high research activity status.

(E) REPORT ON IMPROVING THE RESEARCH CAPACITY AT HIGH RESEARCH ACTIVITY HISTORICALLY BLACK COLLEGES OR UNIVERSITIES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this division, the National Science and Technology Council shall prepare and submit a report that—

(A) identifies challenges and barriers to Federal research grants for high research activity status at Historically Black Colleges or Universities; and

(B) identifies recommendations for Federal science agencies to sustainably boost the research capacity of Historically Black Colleges or Universities through grant-making authorities.

(2) REPORT SUBMISSION.—The National Science and Technology Council shall transmit the report to the Director of the National Science Foundation, the Administrator of the National Aeronautics and Space Administration, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of Labor, the Secretary of Transportation, the head of the Department of Commerce, the head of the Department of Commerce, the head of the Department of the Treasury, the head of the Department of the Treasury, the head of the National Aeronautics and Space Administration, the head of the National Aeronautics and Space Administration, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of Labor, the Secretary of Transportation, and the head of each of such agencies as determined by theNational Science and Technology Council.

(F) INQUIRY OF FEDERAL AGENCIES.—

(1) IN GENERAL.—The National Science and Technology Council may secure directly from a Federal department or agency such information as the National Science and Technology Council considers necessary to carry out the report under this subsection.

(2) BUREAU OF THE CENSUS.—Upon a request from the National Science and Technology Council, the head of a Federal department or agency shall furnish such information requested by the National Science and Technology Council.

SA 2051. Mr. BRAUN (for himself and Mr. STABENOW) submitted an amendment intended to be proposed to amendment SA 1952 proposed by Mr. SAGALYN. The amendment would establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SECTION 251. GREENHOUSE GAS TECHNICAL ASSISTANCE PROVIDER AND THIRD-PARTY VERIFIER CERTIFICATION PROGRAM.

(a) PURPOSES.—The purposes of this section are—

(1) to facilitate the participation of farmers, ranchers, and private forest landowners in voluntary environmental credit markets, including through the Program; and

(2) to facilitate the provision of technical assistance through covered entities to farmers, ranchers, and private forest landowners in overcoming barriers to entry into voluntary environmental credit markets;

(3) to assist covered entities in certifying under the Program; and

(4) to establish the Advisory Council to advise the Secretary regarding the Program and other related matters.

(b) DEFINITIONS.—In this section—

(1) ADVISORY COUNCIL.—The term ‘‘Advisory Council’’ means the Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Certification Program Advisory Council established under subsection (g)(1).

(2) AGRICULTURE OR FORESTRY CREDIT.—The term ‘‘Agriculture or Forestry credit’’ means a credit derived from the prevention, reduction, or mitigation of greenhouse gas emissions or carbon sequestration on agricultural lands or private forest lands that may be bought or sold on a voluntary environmental credit market.

(3) BEGINNING FARMER OR RANCHER.—The term ‘‘beginning farmer or rancher’’ has the meaning given the term in section 501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

(4) COVERED ENTITY.—The term ‘‘covered entity’’ means a person or State that either—

(A) is a provider of technical assistance to farmers, ranchers, or private forest landowners in carrying out sustainable land use management practices that—

(i) prevent, reduce, or mitigate greenhouse gas emissions; or

(ii) sequester carbon; or

(B) is a third-party verifier entity that conducts the verification of the processes described in subparagraph (A) of this paragraph.

(5) GREENHOUSE GAS.—The term ‘‘greenhouse gas’’ means—

(A) carbon dioxide; methane; nitrous oxide; and

(B) any other gas that the Secretary, in consultation with the Council, determines has been identified to have heat trapping qualities.
(6) **Program.—**The term "Program" means the Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Certification Program established under subsection (c).

(7) **Protocol.—**The term "protocol" means a systematic approach that follows a science-based methodology that is transparent and thorough to establish requirements—

(A) for the development of projects to prevent, reduce, or mitigate greenhouse gas emissions or sequester carbon that include 1 or more baseline scenarios; and

(B) to quantify, monitor, report, and verify the prevention, reduction, or mitigation of greenhouse gas emissions or carbon sequestration by projects described in subparagraph (A).

(8) **Secretary.—**The term "Secretary" means the Secretary of Agriculture.

(9) **Socially Disadvantaged Farmer or Rancher; Socially Disadvantaged Group.—** The terms "socially disadvantaged farmer or rancher" and "socially disadvantaged group" have the meaning given those terms in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).

(10) **Technical Assistance.—** The term "technical assistance" means technical expertise, information, and tools necessary to assist a farmer, rancher, or private forest landowner in enrolling in or wanting to engage in a project to prevent, reduce, or mitigate greenhouse gas emissions or sequester carbon to meet a protocol.

(11) **Voluntary Environmental Credit Market.—** The term "voluntary environmental credit market" means a voluntary market through which agriculture or forestry credits and accessing voluntary environmental credit markets that are used in carrying out activities described in paragraph (2); or

(II) by providing information relating to the processes described in protocols for voluntary environmental credit markets that are used in carrying out activities described in paragraph (2).

(2) **Activities.—** The activities for which covered entities may provide technical assistance may include—

(i) the provision of technical assistance to farmers, ranchers, and voluntary or forestry credits and accessing voluntary environmental credit markets that are used in carrying out activities described in paragraph (2); or

(ii) the verification of the processes described in protocols for voluntary environmental credit markets that are used in carrying out activities described in paragraph (2).

(3) **Requirements.—** In publishing the list of protocols and description of qualifications published under paragraph (1)(A) to include any additional protocols or qualifications that meet the requirements described in subparagraphs (A) and (B) of paragraph (3).

(e) **Certification, Website, and Publication of Lists.—**

(1) **Certification.—** A covered entity may self-certify under the Program by submitting to the Secretary, through a website maintained by the Secretary—

(A) a notification that the covered entity will—

(i) maintain expertise in the protocols described in clause (i) of subsection (d)(1)(A); and

(ii) adhere to the qualifications described in paragraphs (1) and (2) of subsection (d)(1)(A) and the list of protocols, qualifications, and description of qualifications published under paragraph (1)(A).

(2) **Website and Solicitation.—** During the 180-day period beginning on the date on which the Program is established, the Secretary shall publish, on an existing website maintained by the Secretary—

(A) information describing how covered entities may self-certify under the Program in accordance with paragraph (1); and

(B) information describing how covered entities may obtain, through private training programs or other Federal, State, or private entities, training to meet the requirements published in clause (i) of subsection (d)(1)(A) and the list of protocols, qualifications, and description of qualifications published under paragraph (1)(A).

(3) **Updates.—** Not less frequently than quarterly, the Secretary, in consultation with the Advisory Council and following the review by the Secretary for completeness and accuracy of the certification notifications and documentation submitted under paragraph (1), shall use an existing website maintained by the Secretary to publish—

(A) a list of covered entities that are certified under paragraph (1) as technical assistance providers; and

(B) a list of covered entities that are certified under paragraph (1) as verifiers of the processes described in protocols for voluntary environmental credit markets.

(4) **Updates.—** Not less frequently than quarterly, the Secretary, in consultation with the Advisory Council, shall update the lists published under paragraph (3).

(5) **Submission.—** The Secretary shall notify Congress of the publication of the initial list under paragraph (3).

(f) **Eligibility for Certification.—** To remain certified under the Program, a covered entity shall continue—
(A) to maintain expertise in the protocols described in subparagraph (A)(i) of subsection (d)(1); and

(B) to adhere to the qualifications described in subparagraph (A)(ii) of that subsection.

(7) AUDITING.—Not less frequently than annually, the Secretary shall conduct audits of covered entities certified under the Program to ensure compliance with the requirements under subsection (d)(1)(B) through an audit process that includes a representative sample—

(A) technical assistance providers; and

(B) verifiers of the processes described in protocols for voluntary environmental credit markets.

(8) REVOCATION OF CERTIFICATION.—

(A) In general.—The Secretary may revoke a certification of a covered entity under the Program in the event of—

(i) noncompliance with the requirements under subsection (d)(1)(B); or

(ii) a violation of subsection (f)(2)(A).

(B) Notification.—If the Secretary revokes a certification of a covered entity under subparagraph (A), to the extent practicable, the Secretary shall—

(i) request from that covered entity contact information for all farmers, ranchers, and private forest landowners to which the covered entity provided technical assistance or the verification of the processes described in protocols for voluntary environmental credit markets.

(ii) notify those farmers, ranchers, and private forest landowners of the revocation.

(9) FAIR TREATMENT OF FARMERS.—The Secretary shall ensure, to the maximum extent practicable, that covered entities certified under paragraph (1) act in good faith—

(A) to provide realistic estimates of costs and verification costs for farmers, ranchers, and private forest landowners; and

(B) be composed of not less than 51 percent forest landowners, particularly for historically under served farmers, ranchers, or private forest landowners; and

(C) be composed of not less than 51 percent active, former, or retired farmers, ranchers, and private forest landowners.

(10) SAVINGS CLAUSE.—Nothing in this section authorizes the Secretary to compel a farmer, rancher, or private forest landowner to participate in a transaction or project facilitated by a covered entity certified under paragraph (d).

(1) ENFORCEMENT.—

(A) PROHIBITION ON CLAIMS.—

(i) In general.—A person that is not certified under the Program in accordance with this section shall not make a claim that the person is a “USDA-certified technical assistance provider or third-party verifier for voluntary environmental credit markets” or any substantially similar claim.

(ii) Penalty.—Any person that violates subsection (A)(i) shall—

(1) subject to a civil penalty equal to such amount as the Secretary determines to be appropriate, not to exceed $1,000 per violation; and

(2) be ineligible to certify under the Program for the 5-year period beginning on the date of the violation.

(2) MISCELLANEOUS PROVISIONS.—

(A) In general.—A person, regardless of whether the person is certified under the Program, shall not submit fraudulent information as part of a notification under subsection (e)(1).

(B) Penalty.—Any person that violates subsection (A) shall—

(i) subject to a civil penalty equal to such amount as the Secretary determines to be appropriate, not to exceed $1,000 per violation; and

(ii) be ineligible to certify under the Program for the 5-year period beginning on the date of the violation.

(D) CHAIR.—The Secretary shall designate a member of the Advisory Council to serve as the Chair.

(E) TERMS.—

(I) In general.—The term of a member of the Advisory Council shall be 2 years, except that, of the members first appointed—

(1) not fewer than 8 members shall serve for terms of 1 year; and

(2) not fewer than 12 members shall serve for a term of 2 years; and

(III) not fewer than 12 members shall serve for a term of 3 years.

(II) Technical assistance provider or third-party verifier qualifications.—After the initial term of a member of the Advisory Council, including the members first appointed, the member may serve not more than 4 additional 2-year terms.

(2) MEETINGS.—

(A) FREQUENCY.—The Advisory Council shall meet not less frequently than annually, at the call of the Chair.

(A) In general.—The Advisory Council shall—

(i) periodically review and recommend appropriate changes to—

(A) the list of protocols and description of qualifications published by the Secretary under subsection (d)(1)(A); and

(B) the requirements described in subsection (d)(1)(B).

(B) MAKE RECOMMENDATIONS.—The Secretary shall make recommendations to the Advisory Council regarding the best practices that should be included in the protocols, description of qualifications, and requirements described in paragraph (A); and

(C) ADVISE.—The Secretary shall—

(i) issue rules that are consistent with the best practices that should be included in the protocols, description of qualifications, and requirements described in paragraph (A); and

(ii) conduct all activities in a manner that is broadly representative of the agriculture sector, including not fewer than 6 active farmers and ranchers;

(iv) be composed of not fewer than 4 representatives of private forest landowners or the forestry and private forest products industry appointed in a manner that is broadly representative of the private forest sector;

(v) not more than 2 experts or professionals familiar with voluntary environmental credit markets to quantify and verify the prevention, reduction, and mitigation of greenhouse gas emissions or sequestration of carbon;

(vi) means to reduce barriers to entry in the business of providing technical assistance or the verification of the processes described in protocols for voluntary environmental credit markets for covered entities, including by improving technical assistance provided by the Secretary;

(v) means to reduce compliance and verification costs for farmers, ranchers, and private forest landowners in ensuring that the covered entities certified under the Program to verify the prevention, reduction, and mitigation of greenhouse gas emissions or sequestration of carbon;

(vi) additional considerations for certifying covered entities under the Program;

(vii) means to reduce barriers to entry in the business of providing technical assistance or the verification of the processes described in protocols for voluntary environmental credit markets for covered entities, including by improving technical assistance provided by the Secretary;

(vii) means to reduce compliance and verification costs for farmers, ranchers, and private forest landowners in ensuring that the covered entities certified under the Program to verify the prevention, reduction, and mitigation of greenhouse gas emissions or sequestration of carbon;

(viii) means to reduce barriers to entry in the business of providing technical assistance or the verification of the processes described in protocols for voluntary environmental credit markets for covered entities, including by improving technical assistance provided by the Secretary;

(ix) not more than 3 members of non-governmental or civil society organizations representing farmers, ranchers, and private forest landowners, particularly for historically underserved, socially disadvantaged, or limited resource farmers, ranchers, or private forest landowners;

(x) any other individual whom the Secretary determines to be necessary to ensure that the Advisory Council is composed of a diverse group of representatives of industry, academia, independent researchers, and public and private entities.

(V) COMPENSATION.—The members of the Advisory Council shall serve without compensation.

(V) CONFLICT OF INTEREST.—The Secretary shall prohibit any member of the Advisory Council from—

(A) engaging in any determinations or activities by the Advisory Council that may result in the favoring of, or a direct and predictable effect on—

(i) the member or a family member, as determined by the Secretary; or

(ii) stock owned by the member or a family member, as determined by the Secretary; or
(iii) the employer of, or a business owned in whole or in part by, the member or a family member, as determined by the Secretary; or

(B) providing advice or recommendations regarding, or otherwise participating in, matters of the Advisory Council that—

(i) constitute a conflict of interest under section 208 of title 18, United States Code, or

(ii) may call into question the integrity of the Advisory Council, the Program, or the technical assistance or verification activities described in subsection (d)(2).

(7) FACIA APPLICABILITY.—The Advisory Council shall be subject to the Federal Advisory Council Act (5 U.S.C. App.), except that section 1(a)(2) of that Act shall not apply.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall—

(A) conduct an assessment, including by incorporating information from existing publications and reports of the Department of Agriculture and other entities with relevant expertise, regarding—

(i) the number and categories of non-Federal entities, projects, and other activities to prevent, reduce, or mitigate greenhouse gas emissions in the agriculture and forestry sectors involved in buying, selling, and trading agriculture or forestry credits in voluntary environmental credit markets;

(ii) the state of monitoring and measurement technologies needed to quantify long-term carbon sequestration in soils and from managed forest sectors in preventing, reducing, or mitigating greenhouse gas emissions in the agriculture and forestry sectors;

(iii) the total number of agriculture or forestry credits (measured in metric tons of carbon dioxide equivalent) that were estimated to be in development, generated, or sold in market transactions during the preceding 4-calendar year period, and historically, in voluntary environmental credit markets;

(iv) the estimated supply and demand of metric tons of carbon dioxide equivalent of offsets for each of fiscal years 2022 through 2026;

(v) the barriers to entry due to compliance and verification costs described in subsection (f); and

(vi) the state of monitoring and measurement technologies needed to quantify long-term carbon sequestration in soils and from managed forest sectors in preventing, reducing, or mitigating greenhouse gas emissions in the agriculture and forestry sectors;

(vii) means to reduce barriers to entry into voluntary environmental credit markets for small, beginning, and socially disadvantaged farmers, ranchers, and private forest landowners and the extent to which existing protocols or voluntary environmental credit markets allow for aggregation of projects among farmers, ranchers, and private forest landowners;

(viii) means to leverage existing Department of Agriculture programs and other Federal programs that could improve, lower the costs of, and enhance the deployment of monitoring and measurement technologies described in clause (vi);

(ix) the potential impact of Department of Agriculture activities on supply and demand of agriculture and forestry credits;

(x) the potential role of the Department of Agriculture in encouraging innovation in voluntary environmental credit markets;

(xi) the degree to which the existing regimes for generating and selling agriculture or forestry credits, as the regimes exist at the end of the preceding 4-calendar year period, and existing voluntary environmental credit markets, may be impeded or constrained, or achieve greater scale and reach, if the Department of Agriculture were involved, including by considering the role of the Department of Agriculture in reducing the barriers to entry identified under clause (v), including by educating stakeholders about voluntary environmental credit markets;

(xii) the extent to which existing protocols or voluntary environmental credit markets, including verification, additionality, permanence, and reporting, adequately take into consideration and account for factors ensuring that carbon credits being disrupted due to unavoidable events, including production challenges and natural disasters; and

(xiv) opportunities for other voluntary markets outside of voluntary environmental credit markets to foster the trading, buying, or selling of credits that are derived from activities that provide other ecosystem services, including activities that improve water quality, water quantity, wildlife habitat enhancement, and other ecosystem services, as the Secretary determines appropriate;

(B) publish the assessment; and

(C) submit the assessment to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives.

(2) QUADRIENNIAL ASSESSMENT.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency and the Advisory Council, shall conduct the assessment described in paragraph (1) and submit the assessment in accordance with subparagraphs (B) and (C) of paragraph (1).

(i) REPORT.—Not later than 2 years after the date on which the Program is established, and every 2 years thereafter, the Secretary shall publish and submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report describing, for the period covered by the report—

(1) the number of covered entities that—

(A) were registered under the Program;

(B) were new registrants under the Program; and

(C) did not renew their registration under the Program;

(2) each covered entity that was revoked by the Secretary under subsection (e)(3); and

(3) a review of the outcomes of the Program, including—

(A) the ability of farmers, ranchers, and private forest landowners, including small, beginning, and socially disadvantaged farmers, ranchers, and private forest landowners, to develop agriculture or forestry credits through covered entities certified under the Program;

(B) methods to improve the ability of farmers, ranchers, and private forest landowners to overcome barriers to entry to voluntary environmental credit markets; and

(C) methods to further facilitate participation of farmers, ranchers, and private forest landowners in voluntary environmental credit markets; and

(4) any recommendations for improvements to the Program.

(j) CONFIDENTIALITY.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Secretary, any other officer or employee of the Department of Agriculture or any agency of the Department of Agriculture, or any other person may not disclose to the public the information held by the Secretary described in subparagraph (B).

(B) INFORMATION.—

(i) IN GENERAL.—Except as provided in clause (i), the information described under subsection (e)(1) is—

(I) information collected by the Secretary or published by the Secretary under subsection (b) or (i);

(II) personally identifiable information, including in a contract or service agreement, of a farmer, rancher, or private forest landowner, obtained by the Secretary under paragraph (7) or (B)(i) of subsection (e); and

(III) confidential business information in a contract or service agreement of a farmer, rancher, or private forest landowner obtained by the Secretary under paragraph (7) or (B)(i) of subsection (e).

(ii) AGREGATED RELEASE.—Information described in clause (i) may be released to the public if the information has been transformed into a statistical or aggregate form that does not allow the identification of the person who supplied or is the subject of the particular information.

(k) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amount made available under paragraph (2), there is authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2022 through 2029.

(2) DIRECT FUNDING.—

(A) RESCISSION.—There is rescinded $4,100,000 of the unobligated balance of amounts made available by section 1003 of the American Rescue Plan Act of 2021 (Public Law 117–2).

(B) DIRECT FUNDING.—If sufficient unobligated amounts made available by section 1003 of the American Rescue Plan Act of 2021 (Public Law 117–2) are available on the date of enactment of this Act to execute the entire rescission described in subparagraph (A), then on the day after the execution of the entire rescission, there is appropriated to the Secretary, out of amounts in the Treasury not otherwise appropriated, $4,100,000 to carry out this section.

SA 2052. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, include information, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes;
which was ordered to lie on the table; as follows:

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

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

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

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

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

(B) Matthias Warnig; and

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

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

(B) Matthias Warnig.

(b) Ineligibility for Visas, Admission, or Parole of Identified Persons and Corporate Officers.

(1) IN GENERAL.—An alien described in subsection (a)(1) is—

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

(ii) 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.).

(c) Impeachment.

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

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

(I) take effect immediately; and

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

(e) Blocking of Property of Identified Persons.

The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(f) Definitions.

In this section:

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

(b) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Director of the National Science Foundation shall conduct a study and submit to Congress a report on artificial intelligence ethics in order to promote development of trustworthy artificial intelligence and to mitigate the creation and use of artificial intelligence systems that behave in ways that cause harm.
(1) evaluates the frequency of cases of waste, fraud, or abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees; and
(2) the effectiveness of existing mechanisms to detect waste, fraud, and abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees, including by examining the benefits and drawbacks of—
(A) providing additional support to agency inspectors general or other mechanisms with regard to troubled-agency oversights of Federal and technology grant making investments; and
(B) alternative mechanisms for strengthening prevention and detection of waste, fraud, and abuse across Federal science agencies perpetrated across multiple Federal science agencies by an awardee or group of awardees, such as the establishment of a special inspector general or other mechanisms as the Comptroller General sees fit.

SA 2056. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a technology and innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 478, strike line 17, and all that follows through page 485, line 18, and insert the following:
SEC. 2527. BASIC RESEARCH.
(a) Nondisclosure of Members of Grant Review Panel.—Notwithstanding any other provision of law, each agency that awards a grant as a center of excellence shall not disclose the identity of any member of the grant review panel for such applicant.
(b) Downstream Reporting; Impartiality.—
(1) Downstream reporting.—Any person or institution awarded a grant from a Federal research agency shall—
(A) notify and seek authorization from the relevant agency for any funds derived from the grant made available through a subgrant or subsubgrant (including to an employee or subdivision of the grant recipient’s organization); and
(B) ensure that such subgrant or subsequent recipient (including to an employee or subdivision of the grant recipient’s organization) funded with funds derived from the Federal grant is within the scope of the Federal grant award.
(2) Impartiality in funding scientific research.—Notwithstanding any other provision of law, each Federal agency, in awarding grants for scientific research, shall be impartial and shall not seek to advance any political position or fund a grant to reach a predetermined conclusion.
SEC. 2528. GOVERNMENT STUDY ON OVERSIGHT OF FEDERAL SCIENCE AND TECHNOLOGY GRANT MAKING AND INVESTMENTS.
(a) Findings.—Congress finds that—
(1) in instances such as the Troubled Asset Relief Program, the American Recovery and Reinvestment Act of 2009, Iraq, and Afghani-

stan, Congress has created special inspectors general and other oversight entities focused on particular program areas who have performed in outstanding ways;
(2) the oversight described in paragraph (1) have helped to strengthen oversight in cross-agency activities and where component inspectors general may have otherwise faced significant drawbacks;
(3) because of the cross-agency nature of Federal science and technology activities, Congress created the Office of Science and Technology Policy to coordinate and harmonize among science functions at agencies;
(4) the United States innovation ecosystem, which uses multiple science agencies to invest in research and development, can make it more difficult to identify and remove scientists who violate research integrity principles;
(5) the single agency jurisdiction of an agency inspector general can be a disadvantage with respect to their oversight roles, and opportunities to strengthen the system may exist;
(6) single agency jurisdiction of inspectors general may also make it difficult to harmonize principles and standards for oversight of waste, fraud, and abuse among agencies; and
(7) certain issues of fraud, waste, and abuse in Federal science and technology activities span multiple agencies and are apparent through cross-agency oversight.
(b) Study.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report that—
(1) evaluates the frequency of cases of waste, fraud, or abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees;
(2) evaluates the effectiveness of existing mechanisms to detect waste, fraud, and abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees, including by examining the benefits and drawbacks of—
(A) providing additional support to agency inspectors general or other mechanisms with regard to troubled-agency oversights of Federal and technology grant making investments; and
(B) alternative mechanisms for strengthening prevention and detection of waste, fraud, and abuse across Federal science agencies perpetrated across multiple Federal science agencies by an awardee or group of awardees; and
(3) evaluates options for strengthening detection of waste, fraud, and abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees, such as the establishment of a special inspector general or other mechanisms as the Comptroller General sees fit.

SA 2057. Mr. BARRASSO (for himself, Mr. DURBIN, Ms. HIRONO, Mr. COONS, Mr. DURKIN, Mr. SNYDER, Mr. RYAN, Mr. HAYDEN, Mr. HYDE-SMITH, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place in division F, insert the following:
SEC. 522. GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.
(a) In General.—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.
(b) Certification Scheme.—The Secretary shall seek to ensure that the framework under subsection (a) includes a certification scheme, comprised of—
(1) minimum requirements for national legislation, institutions, and import and export controls related to the sourcing of critical minerals;
(2) measures to enforce transparency in the exchange of production, transportation, and end-use manufacturing data related to critical minerals, including through the use of blockchain technology;
(3) prohibitions on the purchase or trade in critical minerals unless parties to the purchase or trade are certified under and in compliance with the framework; and
(4) measures to certify shipments as in compliance with the framework, including requiring the provision of supporting documentation.
(c) Implementation Report.—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.
(d) Review of Conflict Minerals List.—The Secretary shall review the list of conflict minerals under section 1502(e)(4) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 2298) to determine whether certain critical minerals, such as cobalt, shall be included on the list.
(e) Critical Mineral Defined.—In this section, the term ‘‘critical mineral’’ has the meaning given the term in section 7002(a) of the Energy Act of 2020 (division Z of Public Law 116–200; 30 U.S.C. 1300a(a)).

SA 2058. Mr. CASSIDY (for himself, Mr. DURBIN, Ms. HIRONO, Mr. COONS, Mr. DURKIN, Mr. SNYDER, Mr. RYAN, Mr. HAYDEN, Mr. HYDE-SMITH, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place in division F, insert the following:
SEC. 523. COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS.
(a) Collection and Verification of Information.—
(1) In General.—An online marketplace shall require any high-volume third party seller on such online marketplace’s platform to provide, not later than 7 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:
(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose.

(b) DISCLOSURE REQUIRED.—

(1) REQUIREMENT.—

(A) IN GENERAL.—An online marketplace shall—

(i) require any high-volume third party seller on such online marketplace's platform to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose the information described in subparagraph (B) to consumers in a clear and conspicuous manner in the—

(I) online marketplace transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) the full name of the seller;

(ii) the physical address of the seller; and

(iii) contact information for the seller, including—

(aa) a current working phone number; and

(bb) a current working email address or other means of electronic messaging (which may be provided to such seller by the online marketplace).

(II) consumer's account transaction history.

(B) NOTIFICATION OF CHANGE; ANNUAL CERTIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace's platform of the requirement to keep any information collected under subparagraph (A) current; and

(ii) require any high-volume third party seller on such online marketplace's platform to, not later than 7 days after receiving the notice under subclause (I), electronically certify that—

(aa) there have been no changes to such seller's information; or

(bb) such seller has provided any changes to such information to the online marketplace.

(B) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 7 days after the issuance of such notice, suspend any future sales by such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) verify the information collected under paragraph (1)(A) not later than 7 days after such collection; and

(ii) seller may be required to such marketplace not later than 7 days after being notified of such change by a high-volume third party seller under paragraph (1)(B).

(2) VERIFICATION OF INFORMATION.—In the case of a high-volume third party seller that provides a copy of a valid government-issued tax document, any information contained in such document shall be presumed to have been verified as of the date of issuance of such document.

(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose.

(b) DISCLOSURE REQUIRED.—

(1) REQUIREMENT.—

(A) IN GENERAL.—An online marketplace shall—

(i) require any high-volume third party seller on such online marketplace's platform to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose the information described in subparagraph (B) to consumers in a clear and conspicuous manner in the—

(I) online marketplace transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) the full name of the seller;

(ii) the physical address of the seller; and

(iii) contact information for the seller, including—

(aa) a current working phone number; and

(bb) a current working email address or other means of electronic messaging (which may be provided to such seller by the online marketplace).

(II) consumer's account transaction history.

(B) NOTIFICATION OF CHANGE; ANNUAL CERTIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace's platform of the requirement to keep any information collected under subparagraph (A) current; and

(ii) require any high-volume third party seller on such online marketplace's platform to, not later than 7 days after receiving the notice under subclause (I), electronically certify that—

(aa) there have been no changes to such seller's information; or

(bb) such seller has provided any changes to such information to the online marketplace.

(B) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 7 days after the issuance of such notice, suspend any future sales by such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) verify the information collected under paragraph (1)(A) not later than 7 days after such collection; and

(ii) seller may be required to such marketplace not later than 7 days after being notified of such change by a high-volume third party seller under paragraph (1)(B).

(2) VERIFICATION OF INFORMATION.—In the case of a high-volume third party seller that provides a copy of a valid government-issued tax document, any information contained in such document shall be presumed to have been verified as of the date of issuance of such document.
(3) **HIGH-VOLUME THIRD PARTY SELLER.—**

(A) IN GENERAL.—The term “high-volume third party seller” means a participant on an online marketplace’s platform who is a third party seller, and, in any continuous 12-month period during the previous 24 months, has entered into 200 or more discrete sales or transactions of new or unused consumer products, and aggregate total of $7,000 or more in gross revenues.

(B) CLARIFICATION.—For purposes of calculating the number of discrete sales or transactions of new or unused consumer products, an aggregate total of $7,000 or more in gross revenues under subparagraph (A), an online marketplace shall only be required to count sales or transactions made through the online marketplace and for which payment was processed by the online marketplace, either directly or through its payment processor.

(4) **ONLINE MARKETPLACE.—**The term “online marketplace” means any person or entity that operates a consumer-directed electronically based or accessed platform that—

(A) includes features that allow for, facilitate, or enable third party sellers to engage in the sale, purchase, payment, storage, shipping, or delivery of a consumer product in the United States;

(B) is used by five or more third party sellers for such purposes; and

(C) has a contractual or similar relationship with consumers governing their use of the platform and for which payment was processed by the online marketplace, either directly or through its payment processor.

(5) **SELLER.—**The term “seller” means any person who sells, offers to sell, or contracts to sell a consumer product through an online marketplace's platform.

(6) **THIRD PARTY SELLER.—**

(A) IN GENERAL.—The term “third party seller” means any seller, independent of an online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace’s platform.

(B) LIMITATIONS.—The term “third party seller” does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace’s platform; or

(ii) a business entity that has—

(I) made available to the general public the entity’s name, business address, and working contact information; (II) an ongoing contractual relationship with the online marketplace to provide the online marketplace with the manufacture, distribution, wholesaling, or fulfillment of shipments of consumer products; and

(II) provided to the online marketplace identifying information, as described in subsection (B), that is verified in accordance with that subsection.

(7) **VERIFY.—**The term “verify” means to confirm information provided to an online marketplace pursuant to this section by the use of one or more methods that enable the online marketplace to reliably determine that any information and documents provided are valid, corresponding to the seller or an individual acting on the seller’s behalf, not missappropriated, and not falsified.

(8) **STATUTE.—**No State or local subdivision of a State may establish or continue in effect any law, regulation, rule, requirement, or standard that conflicts with the requirements of this section.

(9) **EFFECTIVE DATE.—**This section shall take effect 180 days after the date of the enactment of this Act.
from institutions of higher education, veterans, individuals from low-income backgrounds, individuals with disabilities, and women, through activities described in subsection (c).

(b) COLLABORATION REQUIREMENTS.—

(1) JOINT PROPOSAL.—An eligible partnership shall—

(a) submit a joint proposal representing all members of the eligible partnership to the applicable Federal science agency. The joint proposal shall include a description of the proposed activities to be carried out under the grant.

(b) COLLABORATION.—Each eligible partnership shall collaborate across institutions of higher education, including historically Black colleges or universities, Tribal Colleges or Universities, or minority-serving institutions, in order to develop and carry out the grant proposal to the partner historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, to work on the research projects along with their students.

(c) USE OF FUNDS.—Each eligible partnership shall provide funding to faculty at historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, to enter graduate studies and academia in STEM fields.

(d) CHALLENGE TO ENTRY.—If the eligible partnership desires a grant under a program described in subsection (a) shall—

(A) enhance and expand pathways for underrepresented students at historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, to graduate studies and academia in STEM fields.

(B) provide funding to faculty at historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, to enter graduate studies and academia in STEM fields.

(c) DISTRIBUTE REQUIREMENTS.—The head of each Federal science agency shall require each grantee to allocate not less than 50 percent of the total grant amount awarded by the eligible partnership to the partner historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, in order to carry out the activities supported under the grant.

(d) NODUPLICATION.—An eligible partnership shall not submit the same proposal to multiple Federal science agencies.

SEC. 4050. REPORTING.

The head of each Federal science agency shall require each grantee to submit reports, which shall include longitudinal studies, that follow the progress of undergraduate students participating in activities supported under this title, as follows:

(1) the number of such students, in the aggregate and disaggregated by categories of underrepresented students in STEM field, who pursue STEM graduate studies and professions as a result of such activities; and

(2) information regarding the benefits provided to such students as a result of the activities.

SEC. 4060. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $100,000,000 for fiscal year 2022 and each succeeding fiscal year.

(b) GAO REPORT.—Beginning in fiscal year 2022, the Comptroller General of the United States, after consultation with the Secretary of Education on any relevant issue of concern, including at a minimum on the total numbers of grantee eligible minority serving institutions within each category discussed herein annually, shall prepare and submit to Congress a suggested distribution of funding under this title among all qualifying Federal science agencies that in the first year of the program reflects equitable shares as a basis for distribution and that reflects the affected Federal science agencies regarding any allocation methodology to be used in subsequent years.

SA 2060. Mr. LEAHY (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and to require a report to Congress that identifies the most promising international research ventures that leverage resources and advanced research in key technology focus areas.

SEC. 2062. Mr. SASSE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and to require a report to Congress that identifies the most promising international research ventures that leverage resources and advanced research in key technology focus areas.

SEC. 2528. GLOBAL COVID–19 RELIEF PROGRAM.

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

(b) ESTABLISHMENT OF SECURITY PROCEDURES.—The Secretary, in consultation with the individuals and entities listed in subsection (a), shall collaborate with similar entities in the countries appearing on the list created pursuant to subsection (a) to develop, coordinate, and agree to general security policies and procedures, consistent with the policies and procedures developed under section 2309, for governmental, academic, and private sector research, to prevent sensitive research from being disclosed to joint adversaries.

(c) REPORT.—Not later than 2 years after the enactment of this Act, the Secretary of State, in consultation with the individuals and entities listed in subsection (a), and allied countries appearing on the list created pursuant to subsection (a), shall submit a report to Congress that identifies the most promising international research ventures that leverage resources and advanced research in key technology focus areas.

SEC. 2529. GLOBAL COVID–19 RELIEF PROGRAM.

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

(1) the COVID–19 pandemic is a once-in-a-generation opportunity for the United States to demonstrate global leadership;

(2) the People’s Republic of China is engaging in an aggressive vaccine diplomacy game and uses COVID-19 assistance as a coercive tool to secure political and economic gains;

(3) providing other countries with COVID–19 assistance and access to vaccines should be a top priority for the Department of State.
and the United States Agency for International Development for the rest of fiscal year 2021; and
(4) it is in the interests of the United States to preserve and protect United States private sector incentives for future vaccine development and to ensure technological innovation in order to meet the vaccine diplomacy challenges of the next pandemic.

(b) GLOBAL COVID–19 RELIEF PROGRAM.—The Secretary of State should establish a global COVID–19 relief program through which Department of State and United States Agency for International Development implementing contractors, can—
(1) assist host governments with—
(A) the procurement from the United States Government of COVID–19 vaccines developed in the United States;
(B) direct procurement of such vaccines from United States vaccine manufacturers; and
(C) procurement of other COVID–19-related medical advice, technical advice, and material assistance from the United States Government and United States vaccine manufacturers; and
(2) serve as liaisons for United States vaccine manufacturers to facilitate—
(A) overseas licensing agreements;
(B) direct purchase agreements; and
(C) the expansion of vaccine production capacity overseas.

(c) AMERICAN VACCINE DIPLOMACY TASK FORCE.—
(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall establish a task force to facilitate the overseas licensing and direct purchasing agreements of vaccines developed in the United States.

(2) MEMBERSHIP.—If a task force is established pursuant to paragraph (1), the task force should be composed of—
(A) 1 or more representatives of the Department of State at the Under Secretary level, or designees;
(B) 1 or more representatives of the United States Agency for International Development at the Assistant Administrator level, or designees;
(C) 1 or more representatives of the Department of Commerce at the Under Secretary level, or designees;
(D) 1 or more representatives of private sector companies in the United States that are significantly involved in the production of COVID–19 vaccines;
(E) 1 or more representatives from civil society, including organizational leaders with expertise in the manufacturing, procurements, and distribution of COVID–19 vaccines developed in the United States; and
(F) any other representatives that the Secretary of State determines are necessary to support the work of the task force.

(3) DUTIES.—If a task force is established pursuant to paragraph (1), the task force should—
(A) a target set of countries for the facilitation of overseas licensing and direct purchasing agreements of COVID–19 vaccines developed in the United States;
(B) existing policy and legal hurdles to the facilitation of overseas licensing and direct purchasing agreements of such vaccines; and
(C) necessary resources at the central, embassy, and bureau levels to expedite the facilitation of overseas licensing and direct purchasing agreements of such vaccines.

(4) REPORTING REQUIREMENT.—Not later than 60 days after the establishment of the task force pursuant to paragraph (1) and every 90 days thereafter until the date set forth in paragraph (5), the task force should deliver a written or verbal report to Congress and to the Secretary of State that describes—
(A) the activities of the task force; and
(B) any legal, bureaucratic, or resourcing challenges preventing the expedited facilitation of overseas licensing and direct purchasing agreements of COVID–19 vaccines developed in the United States.

(b) SUMMARY.—If a task force is established pursuant to paragraph (1), the task force shall terminate on the date that is 1 year after the date of its establishment unless the Secretary of State—
(A) determines that the duration of the task force should be extended; and
(B) not later than 30 days before extending the duration of the task force, notifies Congress of the duration of, and justification for, such extension.

SA 2063. Mr. SÁSSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a new regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 5. OFFICE OF SCIENCE AND TECHNOLOGY POLICY ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING-ENABLED GAME.

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy, in coordination with the Secretary of Commerce, the Secretaries of Energy, the Secretaries of Homeland Security, the Director of National Intelligence, and the heads of such other agencies as the Director of the Office of Science and Technology Policy considers appropriate, shall conduct an artificial intelligence- and machine learning-enabled game of games covering each instrument of national power.

(b) MODELING AND SIMULATION.—The game conducted under subsection (a) shall advance artificial intelligence- and machine learning-enabled game of games covering each instrument of national power.

(c) PLAN REQUIRED.—
(1) IN GENERAL.—The Director of the Office of Science and Technology Policy shall submit to Congress a plan for the execution of the game conducted under subsection (a).

(2) FORM.—The plan required by paragraph (1) shall be submitted in classified form.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of Science and Technology Policy to carry out this section $100,000,000 for fiscal year 2022.

SA 2064. Mr. SÁSSE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 7. POST-EMPLOYMENT LIMITATIONS ON PRESIDENTIAL OFFICERS WITH RESPECT TO THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA, THE CHINESE COMMUNIST PARTY, AND CHINESE MILITARY COMPANIES.

Section 207 of title 18, United States Code, is amended by adding at the end the following:

(III) RESTRICTIONS ON PRESIDENTIAL APPOINTEES WITH RESPECT TO THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA, THE CHINESE COMMUNIST PARTY, AND CHINESE MILITARY COMPANIES.—

(1) IN GENERAL.—In addition to the other restrictions set forth in this section, any person who serves in a position pursuant to an appointment made by the President and who knowingly, at any time after the termination of his or her service in the position—
(A) represents an entity described in paragraph (2) before any officer or employee of any department or agency of the United States with the intent to influence a decision of such officer or employee in carrying out his or her official duties; or
(B) aids or advises any entity described in paragraph (2) with the intent to influence a decision of any officer or employee of any department or agency of the United States, in carrying out his or her official duties, shall be punished as provided in section 216 of this title.

(2) ENTITIES.—An entity described in this paragraph is any of the following:


(B) The Chinese Communist Party.


SA 2065. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 500, strike lines 7 through 10 and insert the following:

(A) encourage reusability and sustainability of systems developed;

(B) offer existing capabilities and assets of NASA centers to support such partnerships; and

(C) prioritize the mission, schedule, safety, and integrity of the program by building in the redundancy of a second human landing system.
Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2528. PROHIBITION ON FUNDING FROM CHINA.

Notwithstanding any other provision of this division, an institution of higher education, nonprofit organizations, or National Laboratories (or consortia of such institutions or organizations, including consortia that collaborate with private industry) to support basic research, development, and deployment efforts to optimize methods for extractions, concentration, separation, and purification of conventional, secondary, and unconventional sources of critical minerals, including research that prioritizes end-to-end integration of mining and recycling techniques and the end-use target for critical minerals;

(ii) addressing the technology transitions between research or lab-scale mining and recycling and commercialization of these technologies;

(iv) the critical minerals workforce of the United States; and

(v) University and private industry investments in innovation and technology transfer from federally funded science and technology; and

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including activities related to the reuse of critical minerals via recycling;

(C) to ensure the transparency of information and data related to critical minerals; and

(D) to provide recommendations on coordination and collaboration among the research, development, and deployment programs of Federal agencies and promote a secure and reliable supply of critical minerals necessary to maintain national security, economic well-being, and industrial production.

(3) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(A) provide recommendations on how Federal agencies may improve the topographic, geologic, and geophysical mapping of the United States and improve the discoverability, accessibility, and usability of the resulting and existing data, to the extent practicable and subject to appropriate limitation for purposes of privacy and security;

(B) assess the progress toward developing critical minerals recycling and reprocessing technologies; (C) assess the end-to-end lifecycle of critical minerals, including for mining, usage, recycling, and end-use material and technology requirements;

(D) examine options for accessing and developing critical mineral resources, investment, and trade with allies and partners of the United States and provide recommendations;

(E) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(F) assess the need for and make recommendations to address the challenges the United States critical minerals supply chain workforce faces, including—

(i) aging and retiring personnel and faculty;

(ii) public perceptions about the nature of mining and mineral processing; and

(iii) foreign competition for United States talent;

(G) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance—

(i) scientific and technical capabilities across critical mineral supply chains, including a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and substitution for critical minerals;

(ii) cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development; and

(H) report to the appropriate committees of Congress on activities and findings under this subsection.

(4) MANDATORY RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall, taking into account the findings and recommendations of the relevant advisory committees, identify and evaluate Federal policies and regulations that restrict the mining of critical minerals.

(c) GRANT PROGRAM FOR DEVELOPMENT OF CRITICAL MINERALS AND METALS.—

(1) ESTABLISHMENT. The Secretary of Commerce, in consultation with the Director, the Secretary of the Interior, and the heads of other relevant Federal agencies, shall establish a grant program for financing pilot projects for the development of critical minerals and metals mining and recycling in the United States.

(2) LIMITATION ON GRANT AWARDS.—A grant awarded under paragraph (1) may not exceed $10,000,000.

(3) ECONOMIC VIABILITY.—In awarding grants under paragraph (1), the Secretary of Commerce shall give priority to projects that the Secretary of Commerce determines are likely to be economically viable over the long term.

(4) SECONDARY RECOVERY.—In awarding grants under paragraph (1), the Secretary of Commerce shall seek to award not less than 30 percent of the total amount of grants awarded during the fiscal year for projects relating to secondary recovery of critical minerals and metals.

(5) RECOMMENDATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Commerce $100,000,000 for each of fiscal years 2021 through 2024 to carry out the program established under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL; CRITICAL MINERAL OR METAL.—The terms ‘‘critical mineral’’ and ‘‘critical mineral or metal’’ include any host mineral of a critical mineral (within the

(2) **END-TO-END.**—The term ‘end-to-end’, with respect to the integration of mining or life cycle of minerals, means the integrated approach of, or the lifecycle determined by, examining the research and developmental process from the mining of the raw minerals to its use. (A) is selected and its integration into components and devices, the utilization of such devices in the end-use application to satisfy certain performance metrics and the recycling or disposal of such devices.

(3) **RECYCLING.**—The term ‘recycling’ means the process of collecting and processing spent materials and devices and turning them into raw materials or components that can be reused either partially or completely.

(4) **SECONDARY RECOVERY.**—The term ‘secondary recovery’ means the recovery of critical minerals and metals from discarded end-use products or from waste products produced in the mining, manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metallurgy activities.

**SA 2068.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 103. ESTABLISHMENT OF NATIONAL RESERVE DIGITAL CORPS.**

(a) **NEW OCCUPATIONAL SERIES FOR DIGITAL CAREER FIELD.**—Not later than 180 days after the date of enactment of this Act, the Office of Personnel Management shall, under section 5105 of title 5, United States Code, establish—

(1) not less than 1 new occupational series, and associated policies, covering positions in the field of software development, software engineering, and knowledge management; and

(2) a new occupational series, and associated policies, covering positions in the field of artificial intelligence.

(b) **MILITARY CAREER PATHS FOR SOFTWARE DEVELOPMENT, DATA SCIENCE, AND ARTIFICIAL INTELLIGENCE.**—Section 289 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended by adding the following new subsection:

```
      "(d) CAREER FIELDS. -
          "(1) In general.—Not later than 270 days after the date of the enactment of this Act, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps (in this subsection collectively referred to as the ‘Service Chiefs’) shall each establish new military career fields for software development, data science, and artificial intelligence that are open to commissioned officers, enlisted personnel, and, as appropriate, civilians.
          "(2) TECHNICAL CAREER PATHS.—The Service Chiefs shall use the authorities provided in section 605 of title 10, United States Code, and subsections (a) and (b) of section 36 of such chapter to ensure that military personnel in the career fields established under paragraph (1) who choose to specialize and focus on technical skill sets rather than pursue leadership positions are not required to move outside their specialties or into management positions to continue to promote.

      "(e) NEW OCCUPATIONAL SERIES FOR DIGITAL CAREER FIELD. -
          "(1) DIRECTOR.—The term ‘Director’ means a full-time employee who—
            "(A) serves as the leader under the supervision of the Defense Chief of Management and Budget who—
              "(B) reports to the Director or the designee of the Director.
            "(B) reports to the Director and is designated by the Director.
          "(2) TECHNICAL LEADER.—The term ‘technical leader’ means a full-time employee who—
            "(A) serves as the leader under the supervision of the Director of the Office of Management and Budget and reports to the Director.
            "(B) reports to the Director or the designee of the Director.
          "(3) NON-DIRECTOR TECHNICAL LEADER.—The term ‘non-director technical leader’ means a full-time employee who—
            "(A) serves as the leader under the supervision of the Director or the designee of the Director.
            "(B) reports to the Director or the designee of the Director.
          "(4) SELLER.—The term ‘seller’ means a full-time employee who—
            "(A) serves as the leader under the supervision of the Director or the designee of the Director.
            "(B) reports to the Director or the designee of the Director.

      "(f) SOUTH PACIFIC ALLIANCE. -
          "(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Navy shall establish the South Pacific Alliance, to be implemented by the Office of the Secretary of the Navy, to include the Pacific Command and the Pacific Theater Command.
          "(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to preclude the Secretary of the Navy from establishing a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**Chapter 103—the National Reserve Digital Corps**

"Sec. 10301. Establishment.

10302. Definitions.

10303. Organization.

10304. Work on behalf of Executive agencies.

**10303. Organization.**—

(a) **DIRECTOR AND EXECUTIVE SECRETARY.**—The National Reserve Digital Corps shall be organized into nodes, each of which shall be under the supervision of a node leader.

(b) **MILITARY AND CIVILIAN LEADERS.**—The National Reserve Digital Corps shall be organized into nodes, each of which shall be under the supervision of a node leader.

(c) **CORE NEEDS.**—The National Reserve Digital Corps shall be organized into nodes, each of which shall be under the supervision of a node leader.

(d) **SIGNIFICANT NEEDS.**—The National Reserve Digital Corps shall be organized into nodes, each of which shall be under the supervision of a node leader.

**10304. Work on behalf of Executive agencies.**—

(a) **PURPOSE.**—Each node shall undertake projects to assist Executive agencies by—

(1) providing digital education and training;

(2) performing data triage and providing acquisition assistance;

(3) helping to guide digital projects and framing technical requirements;

(4) helping to build bridges between public needs and private sector capabilities; and

(5) performing related tasks.

(b) **AUTHORIZATIONS.**—A node may undertake a project—

(1) on behalf of an Executive agency;

(2) by direct agreement between the Director of the Executive branch and the Executive agency;

(3) on behalf of an Executive agency by order of the Director at the request of the Executive agency; or

(4) to address a digital service need encompassing more than one Executive agency—

(1) on behalf of an Executive agency;
§ 10305. Digital Corps Scholarship Program

(a) IN GENERAL.—The Director shall establish a National Reserve Digital Corps scholarship program to provide full scholarships to eligible, selected students who commit to study specific disciplines relating to national security digital technology.

(b) SERVICE OBLIGATION.—Each student, before enrolling in the program established under subsection (a), shall sign an agreement with respect to the student’s commitment to the United States, which shall provide that the student agree to the following:

(1) A commitment to serve as an intern at an Executive agency for not less than 6 weeks during each of the summers before the sophomore year and the junior and senior years of the undergraduate studies of the student.

(2) A commitment to serve in the National Reserve Digital Corps for 6 years after graduation.

(c) PROGRAM ELEMENTS.—In establishing the program under subsection (a), the Director shall:

(1) Eligibility standards for program participation;

(2) Criteria for establishing the dollar amount of a scholarship, including tuition, room, and board;

(3) Repayment requirements for students who fail to complete their service obligation;

(4) Ensuring that qualified graduates of the program are promptly hired and assigned to node leaders;

(5) Resources required for the implementation of the program.

(d) CONTINUING EDUCATION.—The Director shall establish a training and continuing education program to fund educational opportunities for members of the National Digital Reserve Corps, including conferences, seminars, degree and certificate granting programs, and other training opportunities that are expected to increase the digital competencies of the participants.

(e) RESPONSIBILITIES OF CHAIR.—In carrying out this chapter, the Director shall have the following responsibilities:

(1) Establishing the administrative support function and issuing guidance for the National Reserve Digital Corps, which shall include the identification of points of contact for node leaders at Executive agencies.

(2) Not later than 1 year after the date of the enactment of this chapter, appointing not fewer than 5 node leaders under the National Reserve Digital Corps program and authorizing the node leaders to begin recruiting reservists and undertaking projects for Executive agencies.

(3) Beginning 2 years after the date of enactment of this chapter, reporting annually to Congress on the progress of the National Reserve Digital Corps, each of which shall address, at a minimum, the following measures of performance:

(A) The number of technologists who participate in the National Reserve Digital Corps.

(B) Identification of the Executive agencies that submitted work requests, the nature of the work requests, which work requests were assigned a node, and which work requests were completed or remain in progress.

(C) Evaluations of results of National Reserve Digital Corps projects by Executive agencies.

(D) Evaluations of results of National Reserve Digital Corps projects by reservists.

§ 10306. Duration of pilot program

The pilot program under this chapter shall expire not later than 6 years after the date of enactment of this chapter.

*CHAP. 103—NATIONAL RESERVE DIGITAL CORPS*

(2) § 10306. Duration of pilot program

The pilot program under this chapter shall expire not later than 6 years after the date of enactment of this chapter.

"CHAPTER 103—NATIONAL RESERVE DIGITAL CORPS".

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the Office of Management and Budget $300,000,000 to remain available through fiscal year 2023, to carry out chapter 103 of title 5, United States Code, as added by this section.

SA 2071. Mr. BENNET (for himself and Mr. SASSIE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 2920. The amendment is to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; accordingly:

At the appropriate place, insert the following:

**SECT. 701. ESTABLISHMENT OF COUNCIL.**

The President shall establish within the Executive Office of the President a Technology Competitiveness Council (in this title, referred to as the 'Council').

**SECT. 702. MEMBERSHIP OF COUNCIL.**

(a) IN GENERAL.—The Council shall be composed of the following members:

(1) The Vice President.

(2) The Secretary of State.

(3) The Secretary of Defense.

(4) The Secretary of Commerce.

(5) The Secretary of Energy.


(b) CHAIRPERSON.—The Chairperson of the Council shall be responsible for the functions described in section 704.

(c) STAFF.—The Council may hire a staff, which shall be headed by the Assistant to the President for Technology Competitiveness.

**SECT. 703. OPERATION OF COUNCIL.**

(a) ROLES OF CHAIR.—The Chairperson shall:

(1) convene and preside over meetings of the Council and shall determine the agenda for the Council;

(2) ensure the establishment of such committees of the Council, including an executive committee, and of such working groups, composed of senior designees of the Council members and of other officials, as the Chairperson deems necessary or appropriate for the efficient conduct of Council functions; and

(3) shall report to the President on the activities and recommendations of the Council and shall advise the Council as appropriate respecting the President’s directions with respect to the Council’s activities and national technology policy generally.

**SECT. 704. FUNCTIONS OF COUNCIL.**

The Council shall be responsible for the following:

(a) Developing recommendations for the President on United States technology competitiveness and technology-related issues, advising and assisting the President in development and implementation of national technology policy and strategy matters relating primarily to national security to ensure that the advantages of the technologies developed in a manner that is consistent with the responsibilities and authorities of the National Security Council.

(b) Coordinating with the National Security Council, the Council and the National Technology Competitiveness Council shall coordinate with the National Security Council on technology policy and strategy matters relating primarily to national security to ensure that the advantages of the technologies developed in a manner that is consistent with the responsibilities and authorities of the National Security Council.

(c) Technology Strategy.—The Council shall coordinate with the National Security Council on technology policy and strategy matters relating primarily to national security to ensure that the advantages of the technologies developed in a manner that is consistent with the responsibilities and authorities of the National Security Council.

(d) Technology Strategy.—The Council shall coordinate with the National Security Council on technology policy and strategy matters relating primarily to national security to ensure that the advantages of the technologies developed in a manner that is consistent with the responsibilities and authorities of the National Security Council.
rights, privacy, fairness, nondiscrimination, transparency, the rule of law, and accountability;
(d) study the consequences for such values of federally funded research and development in the key technology focus areas; and
(e) assess the ethical, social, and legal implications of such research and development.

In title V of division B, at the end add the following:

SEC. 25. EMERGING TECHNOLOGY LEADS.
(a) DEFINITIONS.—In this section:
(1) COVERED INDIVIDUAL.—The term ‘‘covered individual’’ means—
(A) an individual serving in a Senior Executive Service position, as that term is defined in section 3122(a) of title 5, United States Code;
(B) an individual who—
(i) is serving in a position to which section 5976 of title 5, United States Code, applies; and
(ii) has a significant amount of seniority and experience, as determined by the head of the department or agency where the individual serves;
(C) another individual who is the equivalent of an individual described in subparagraph (A) or (B), as determined by the head of the applicable covered Federal agency.
(2) COVERED FEDERAL AGENCY.—The term ‘‘covered Federal agency’’ means—
(A) an agency listed in section 901(b) of title 5, United States Code; or
(B) an entity that is a covered Federal agency under subsection (b) and provide Congress with a description of the authorities and responsibilities of the covered individuals so appointed.

(b) APPOINTMENT OR DESIGNATION.—Each covered Federal agency that is also substantially engaged in the development, application, or oversight of emerging technologies shall consider appointing or designating a covered individual as an emerging technology lead to advise the agency on the responsible use of emerging technologies, including artificial intelligence, provide expertise on responsible policies and practices, and provide input for procurement policies.

(c) INFORMING CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the President shall inform Congress of each covered Federal agency in which a covered individual has been appointed or designated as an emerging technology lead under subsection (b) and provide Congress with a description of the authorities and responsibilities of the covered individuals so appointed.

SA 2073. Mr. TILLIS (for himself and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2102(c), at the end add the following:
(10) shall, consistent with the mission and operations of the Foundation and to the extent possible, where appropriate,
(A) conduct, or fund research and development that is consistent with democratic values, such as civil liberties and civil
Beginning on page 341, strike line 24 and all that follows through page 342, line 19, and insert the following:

(1) PROCEEDING.—Not later than 45 days after enactment of this division, the Secretary of Commerce shall commence a process to make a determination for purposes of section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601) whether future transactions involving optical transmission equipment manufactured, produced, or distributed by an entity owned, controlled, or supported by the People’s Republic of China would pose an unacceptable risk to the national security of the United States or the security and safety of United States persons.

(2) COMMUNICATION OF DETERMINATION.—If the Secretary determines pursuant to paragraph (1) that future transactions involving such optical transmission equipment would pose an unacceptable risk consistent with that paragraph, the Secretary shall immediately transmit that determination to the Federal Communications Commission consistent with section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601).

SA 2075. Ms. HASSAN (for herself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill, to establish a new directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and jobs, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. CYBERSECURITY AND INFRASTRUCTURE SECURITY APPRENTICESHIP PROGRAM.

(a) In General.—Subtitle A of title XXII of the Homeland Security Act (6 U.S.C. 851 et seq.) is amended by adding at the end the following:

"SEC. 2218. APPRENTICESHIP PROGRAM.

(a) Definitions.—In this section:

"(1) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term ‘area career and technical education school’ has the meaning given in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

"(2) COMMUNITY COLLEGE.—The term ‘community college’ means a public institution of higher education at which the highest degree that is predominantly awarded to students is an associate’s degree, including—

"(A) a Tribal College or Tribal University, as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1056c); and

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

"(3) CYBERSECURITY WORK ROLES.—The term ‘cybersecurity work roles’ means the work roles outlined in the National Initiative for Cyberspace Security Education and Workforce Framework (NIST Special Publication 800-181), or any successor framework.

"(4) EDUCATION AND TRAINING PROVIDER.—The term ‘education and training provider’ means—

"(A) an area career and technical education school;

"(B) an early college high school;

"(C) an educational service agency;

"(D) a high school;

"(E) a local educational agency or State educational agency;

"(F) a Tribal educational agency, Tribally controlled college or university, or Tribally controlled postsecondary career and technical institution;

"(G) a postsecondary educational institution;

"(H) a minority-serving institution;

"(I) a provider of adult education and literacy activities under the Adult Education and Family Literacy Act (29 U.S.C. 221 et seq.);

"(J) a local agency administering plans under title I of the Workforce Innovation and Opportunity Act of 1998 (29 U.S.C. 723 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741);

"(K) a related instruction provider, including a qualified intermediary acting as a related instruction provider as approved by a registration agency;

"(L) a Job Corps center, as defined in section 142 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3192); or

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

"(5) ELIGIBLE ENTITY.—(A) IN GENERAL.—The term ‘eligible entity’ means—

"(i) a program sponsor;

"(ii) a State workforce development board or State workforce agency, or a local workforce development board or local workforce development agency;

"(iii) an education and training provider;

"(iv) if the applicant is in a State with a State apprenticeship agency, such State apprenticeship agency;

"(v) an Indian Tribe or Tribal organization;

"(vi) an industry or sector partnership, a group of employers, a trade association, or a professional association that sponsors or participates in a program under the national apprenticeship system;

"(vii) a Governor of a State;

"(viii) a labor organization or joint labor-management organization; or

"(ix) a qualified intermediary.

"(B) SPONSOR REQUIREMENT.—Not fewer than 1 entity described in subparagraph (A) shall be the sponsor of a program under the national apprenticeship system.

"(6) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

"(7) LOCAL EDUCATIONAL AGENCY; SECONDARY SCHOOL.—The terms ‘local educational agency’ and ‘secondary school’ have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

"(8) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term ‘local workforce development board’ has the meaning given the term ‘local board’ in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

"(9) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization which is organized and operated under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

"(10) PROVIDER OF ADULT EDUCATION.—The term ‘provider of adult education’ has the meaning given the term ‘eligible provider’ in section 203 of the Adult Education and Family Literacy Act (29 U.S.C. 2221).

"(11) RELATED INSTRUCTION.—The term ‘related instruction’ means an organized and systematic form of instruction designed to provide the provision of information or a program with the knowledge of the technical subjects related to the intended occupation of the individual after completion of the program.

"(12) SPONSOR.—The term ‘sponsor’ means any person, association, committee, or organization participating in a program and in whose name the program is, or is to be, registered or approved.

"(13) STATE APPRENTICESHIP AGENCY.—The term ‘State apprenticeship agency’ has the meaning given the term in section 29.2 of title 29, Code of Federal Regulations, or any corresponding similar regulation or rule.

"(14) STATE WORKFORCE DEVELOPMENT BOARD.—The term ‘State workforce development board’ has the meaning given the term ‘State board’ in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).


"(16) QUALIFIED INTERMEDIARY.—(A) IN GENERAL.—The term ‘qualified intermediary’ means an entity that demonstrates expertise in building, connecting, sustaining, and measuring the performance of partnerships described in subparagraph (B) and provides program participants and employers by—

"(i) connecting employers to programs under the national apprenticeship system;

"(ii) assisting in the design and implementation of such programs, including curriculum development and delivery for related instruction;

"(iii) supporting entities, sponsors, or program administrators in meeting the registration and reporting requirements of this Act;

"(iv) providing professional development activities such as training to mentors;

"(v) supporting the recruitment, retention, and completion of potential program participants, including nontraditional apprenticeship populations and individuals with barriers to employment;

"(vi) developing and providing personalized program participant supports, including by partnering with organizations to provide access to or referrals for supportive services and financial advising;

"(vii) providing services, resources, and supports for development of new, or expansion, or improvement of programs under the national apprenticeship system; or

"(viii) serving as a program sponsor.

"(B) PARTICIPANTS.—The term ‘participants’ described in subparagraph (B) means partnerships among entities involved in, or applying to participate in, programs under the national apprenticeship system, including—

"(i) industry or sector partnerships;

"(ii) partnerships among employers, joint labor-management organizations, unions, community-based organizations, industry associations, State or local workforce development boards, education and training providers, social service organizations, economic development organizations, Indian Tribes or Tribal organizations, one-stop operators, one-stop partners, or veterans service organizations in the State workforce development system; or

"(iii) partnerships among 1 or more of the entities described in clauses (i) and (ii).

"(C) ESTABLISHMENT OF APPRENTICESHIP PROGRAMS.—Not later than 2 years after the date of enactment of this section, the Director may establish 1 or more apprenticeship programs as described in subsection (c).
“(c) APPRENTICESHIP PROGRAMS-described.—An apprenticeship program described in this subsection is an apprenticeship program that—

(1) is designed to train individuals for employment in—

(A) a cybersecurity work role with the Agency; or

(B) a position with a company or other entity that provides cybersecurity services;

(2) is conducted in conjunction with or provided by a school, or an institution of higher education; and

(3) is registered with the Department of Labor or a State apprenticeship agency pursuant to the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 29 U.S.C. 50 et seq.)

(d) COORDINATION.—In the development of an apprenticeship program under this section, the Director shall consult with the Secretary of Labor, the Director of the National Institute of Standards and Technology, the Secretary of Defense, the Director of the National Science Foundation, and the Director of the Office of Personnel Management.

(e) OPTIONAL USE OF GRANTS OR COOPERATIVE AGREEMENTS.—An apprenticeship program under this section may include entering into a cooperative agreement with or making a grant to an eligible entity if determined appropriate by the Director based on the eligible entity’s—

(1) past experience in implementing and providing career planning and career pathways toward apprenticeships;

(2) having knowledge of cybersecurity workforce development;

(3) being eligible to enter into a contract or cooperative agreement with or receive grant funds from the Agency as described in this section;

(4) providing students who complete the apprenticeship program with a recognized postsecondary credential;

(5) using related instruction that is specifically aligned with the needs of the Agency and other cybersecurity workers and on-the-job training to the greatest extent possible; and

(6) demonstrating successful outcomes connecting graduates of the apprenticeship program to careers relevant to the program.

(f) APPLICATIONS.—If the Director enters into an arrangement as described in subsection (e), an eligible entity seeking a contract, cooperative agreement, or grant under the program shall submit to the Director an application, including such information as the Secretary may require.

(g) PRIORITY.—In selecting eligible entities to receive a contract, grant, or cooperative agreement under this section, the Director may prioritize an eligible entity that—

(A) is a member of an industry or sector partnership;

(B) provides related instruction for an apprenticeship program through—

(1) a cybersecurity educational agency, a secondary school, a provider of adult education, an area career and technical education school, or an institution of higher education; or

(2) an apprenticeship program that was registered with the Department of Labor or a State apprenticeship agency before the date on which the eligible entity applies for the grant under subsection (g);

(3) works with the Secretary of Defense, the Secretary of Veterans Affairs, and other relevant entities to transition members of the Armed Forces and veterans to apprenticeship programs in a relevant sector; or

(4) plans to or is required to carry out the apprenticeship program with an entity that receives State funding or is operated by a State agency.

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

(i) EXCEPTED SERVICE.—Participants in the program may be entered into cybersecu-

rity-specific excepted service positions as determined appropriate by the Director and authorized by section 2208.

(j) REPORT.—Not less than once every 2 years after the establishment of an apprenticeship program under this section, the Director shall submit to Congress a report on the program, including—

(A) a description of—

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

(ii) any entity that enters into a contract or agreement with or receives a grant from the Agency under subsection (e); and

(iii) any activity carried out using a contract, agreement, or grant under this section as described in subsection (e); and

(B) an assessment of the results achieved by the program, including the rate of continued employment for participants after completing an apprenticeship program carried out under this section.

(k) PERFORMANCE REPORTS.—Not later than 1 year after the establishment of an apprenticeship program under this section, and annually thereafter, the Director shall submit to the Congress and the Secretary of Labor a report on the effectiveness of the program based on the accountability measures described in clauses (i) and (ii) of section 111(a)(2)(A) of the Jobs Act Innovation and Opportunity Act (29 U.S.C. 314A(b)(2)(A)).

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Labor, the Director of the Office of Personnel Management, and the heads of the other Federal agencies involved in the pilot program under this section, and the Office of Management and Budget, such sums as are necessary to carry out this section.

(m) TECHNICAL AND CONFORMING AMENDMENTS.—The contents of subsections (i) and (j) of section 2217 of title 31, United States Code.

(n) WORK-BASED LEARNING.—The term ‘work-based learning opportunity’ has the meaning given in section 3 of the Work-Based Learning Opportunity Act (20 U.S.C. 3141(b)(2)(A)).

(o) EXCEPTED SERVICE.—Participants in the program may be entered into excepted service positions as determined appropriate by the Director and authorized by section 2208.

(p) REPORT.—Not less than once every 2 years after the establishment of an apprenticeship program under this section, the Director shall submit to Congress a report on the program, including—

(A) a description of—

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

(ii) any entity that enters into a contract or agreement with or receives a grant from the Agency under subsection (e); and

(iii) any activity carried out using a contract, agreement, or grant under this section as described in subsection (e); and

(B) an assessment of the results achieved by the program, including the rate of continued employment for participants after completing an apprenticeship program carried out under this section.

(q) PERFORMANCE REPORTS.—Not later than 1 year after the establishment of an apprenticeship program under this section, and annually thereafter, the Director shall submit to the Congress and the Secretary of Labor a report on the effectiveness of the program based on the accountability measures described in clauses (i) and (ii) of section 111(a)(2)(A) of the Jobs Act Innovation and Opportunity Act (29 U.S.C. 314A(b)(2)(A)).

(r) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Labor, the Director of the Office of Personnel Management, and the heads of the other Federal agencies involved in the pilot program under this section, and the Office of Management and Budget, such sums as are necessary to carry out this section.

(s) TECHNICAL AND CONFORMING AMENDMENTS.—The contents of sections 2208 and 2217 of title 31, United States Code.

(t) WORK-BASED LEARNING.—The term ‘work-based learning opportunity’ has the meaning given in section 3 of the Work-Based Learning Opportunity Act (20 U.S.C. 3141(b)(2)(A)).

(u) EXCEPTED SERVICE.—Participants in the program may be entered into excepted service positions as determined appropriate by the Director and authorized by section 2208.

(v) REPORT.—Not less than once every 2 years after the establishment of an apprenticeship program under this section, the Director shall submit to Congress a report on the program, including—

(A) a description of—

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

(ii) any entity that enters into a contract or agreement with or receives a grant from the Agency under subsection (e); and

(iii) any activity carried out using a contract, agreement, or grant under this section as described in subsection (e); and

(B) an assessment of the results achieved by the program, including the rate of continued employment for participants after completing an apprenticeship program carried out under this section.

(w) PERFORMANCE REPORTS.—Not later than 1 year after the establishment of an apprenticeship program under this section, and annually thereafter, the Director shall submit to the Congress and the Secretary of Labor a report on the effectiveness of the program based on the accountability measures described in clauses (i) and (ii) of section 111(a)(2)(A) of the Jobs Act Innovation and Opportunity Act (29 U.S.C. 314A(b)(2)(A)).

(x) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Labor, the Director of the Office of Personnel Management, and the heads of the other Federal agencies involved in the pilot program under this section, and the Office of Management and Budget, such sums as are necessary to carry out this section.

(y) TECHNICAL AND CONFORMING AMENDMENTS.—The contents of sections 2208 and 2217 of title 31, United States Code.
usage by eligible individuals participating in the pilot program; or

(B) does not use a program of the Department of Veterans Affairs or platforms and frameworks described in subsection (e)(1), the Secretary of Veterans Affairs shall take such actions as may be necessary to develop or procure programs, platforms, and frameworks to carry out the requirements of subsection (c) and accommodate the usage by eligible individuals participating in the pilot program.

(2) Actions described in paragraph (1) may include providing additional funding, staff, or other resources to—

(A) provide administrative support for basic operations of the pilot program;

(B) ensure the success and ongoing engagement of eligible individuals participating in the pilot program;

(C) connect graduates of the pilot program to job opportunities within the Federal Government; and

(D) allocate dedicated positions for term employment to enable Federal work-based learning opportunities and programs for participants to gain the experience necessary to pursue permanent Federal employment.

SA 2076. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1933 submitted by Ms. HASSAN and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be added, add the following:

SECTION 3218L. ACTION PLAN AND REPORT ON OUTCOMES OF THE WORLD HEALTH ASSEMBLY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘‘appropriate committees of Congress’’—

(A) the Committee on Foreign Relations of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on Health, Education, Labor, and Pensions of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Permanent Select Committee on Intelligence of the House of Representatives;

(F) the Committee on Energy and Commerce of the House of Representatives;

(2) WHA.—The term ‘‘WHA’’ means the World Health Assembly.

(b) REPORT ON OFFICE OF GLOBAL AFFAIRS ACTIVITIES FOLLOWING COVID–19 PANDEMIC.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, shall provide to the appropriate committees of Congress a report that includes—

(1) a summary of planned interagency and global health efforts that the Office of Global Affairs intends to take in its work with international institutions, including the World Health Organization and its member states, in response to lessons learned during the COVID–19 pandemic response that could address future public health emergencies of international concern;

(2) an assessment of engagements with the Public Republic as part of the COVID–19 pandemic response that could address future public health emergencies of international concern;

(3) an assessment of engagements with the Public Republic as part of the COVID–19, both bilaterally and through international institutions; and

(4) how the lessons learned from the assessment described in paragraph (3) could be applied to future scenarios to address public health emergencies of international concern.

(c) ANNUAL REPORT ON THE WORLD HEALTH ASSEMBLY.—Not later than 180 days after the closing session of each annual WHA, the Secretary of Health and Human Services, in coordination with the Director of National Intelligence, the Secretary of State, and the heads of other relevant executive departments, shall submit a report to the appropriate committees of Congress that describes—

(1) the strategy of the United States Government for addressing national security and public health risks related to COVID–19 and emerging infectious diseases through diplomatic engagements;

(2) the actions taken by the United States Government during such annual WHA; and

(3) how the actions advance the goals of the United States Government.

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

SA 2077. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 318.

SA 2078. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, insert the following:

TITLE — STEM RESEARCH GAINS

SEC. 01. SHORT TITLE.

This title may be cited as the ‘‘Strengthening the STEM Research Workforce to Generate American Infrastructure for National Security Act of 2021’’ or the ‘‘STEM Research Gains Act of 2021’’.

SEC. 02. DEFINITIONS.

In this title:

(1) COVERED FIELD.—The term ‘‘covered field’’ means a field in science, technology, engineering, or mathematics research or development deemed to be—

(A) a subject area relating to the national security of the United States;

(B) a subject area relating to the United States’ ability to compete in an open, fair, and competitive international market and achieve economic growth; or

(C) a subject area that is in need of expanded and strengthened academic pipelines to ensure a diverse workforce.

(2) DIRECTOR.—The term ‘‘Director’’ means the Director of the National Science Foundation.

(3) FEDERAL SCIENCE AGENCY.—The term ‘‘Federal science agency’’ means the meaning given the term in section 106(c) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6223(1)).


(5) MINORITY.—The term ‘‘minority’’ has the meaning given the term in section 356(2) of the Higher Education Act of 1965 (20 U.S.C. 1067c(2)).

(6) MINORITY-SERVING INSTITUTION.—The term ‘‘minority-serving institution’’ means—

(A) a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(B) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1011a));

(C) a Tribal College or University (as defined in section 316 of that Act (20 U.S.C. 1085c));

(D) an Alaska Native-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1085b(b)));

(E) a Native Hawaiian-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1085b(b)));

(F) a Predominantly Black Institution (as defined in section 318 of that Act (20 U.S.C. 1085d));

(G) an Asian American and Native American Pacific Islander-serving institution (as defined in section 320(b) of that Act (20 U.S.C. 1085b(b))); or

(H) a Native American-serving, nontribal institution (as defined in section 319 of that Act (20 U.S.C. 1085f)).

(7) STEM.—The term ‘‘STEM’’ means science, technology, engineering, and mathematics, including computer science.

(8) UNDERREPRESENTED FIELD.—The term ‘‘underrepresented field’’ means a field in STEM in which the national rate of representation of women or other underrepresented groups is significantly below the comparable figure for scientists and engineers who are white and not of Hispanic origin, as determined by the Secretary of Education under section 637(b) of title 34, Code of Federal Regulations, or similar successor regulations.

Subtitle A—Expanding Pipeline Programs to Research Opportunities

SEC. 111. RESEARCH AND DEVELOPMENT AREAS CRITICAL TO NATIONAL SECURITY.

(a) COVERED FIELDS.—The National Security Council shall conduct a study to identify areas for research and development that are covered fields.

(b) REPORT.—Not less than once every 5 years, the National Security Council shall readdress the covered fields.
fully earn graduate and professional opportunities from programs supported by the Federal science agencies; and
(5) an analysis of the best ways to share best practices of higher education and Federal science agencies interested in supporting individuals from groups that are underrepresented in science and engineering; and
(6) an analysis of how the Federal science agencies can work together to advance goals related to broadening the participation of individuals from groups that are underrepresented in science and engineering.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, the Federal Coordination in STEM Education Subcommittee (FC-STEM) of the Committee on Science, Technology, Engineering, and Mathematics Education of the National Science and Technology Council shall report to Congress on the implementation by Federal science agencies of the policy guidelines developed under this section.

SEC. 14. BOLSTERING STEM PIPELINES STRATEGIC PLAN.
(a) BROADENING PARTICIPATION STRATEGIC PLAN.—Not later than 1 year after the date of enactment of this Act, the Federal Coordination in STEM Education Subcommittee (FC-STEM) of the Committee on Science, Technology, Engineering, and Mathematics Education (CoSTEM) of the National Science and Technology Council shall submit to Congress a report containing its current strategic plan for Federal science agencies to increase the capacity of STEM programs carried out by Federal science agencies that are in effect as of the date of the report to increase the participation of individuals who are underrepresented in science and engineering, women who are underrepresented in STEM fields, and low-income and first-generation college students, in order to broaden participation in grants and programs carried out by the Federal science agencies. The report shall include—
(1) a description of how the grants and programs that are carried out by the Federal science agencies, as of the time of the report, are carried out in a manner that advances diverse pipelines in STEM fields, and a description of how the Federal science agencies can better advance such diverse pipelines;
(2) a data collection that would allow for meaningful goal setting and transparency relating to the Federal science agencies’ progress in broadening participation by individuals from groups that are underrepresented in science and engineering with respect to those grants and programs;
(3) an analysis of how the Federal science agencies set goals related to broadening the participation of individuals from groups that are underrepresented in science and engineering by—
(A) creating or expanding funding opportunities;
(B) modifying existing research and development programs; and
(C) establishing coordination between existing programs carried out by the Federal science agencies;
(4) a description of the ways that the National Science Foundation works with minority-serving institutions to—
(A) enable those eligible institutions to compete effectively for grants, contracts, or cooperative agreements carried out by the National Science Foundation;
(B) encourage those eligible institutions to participate in programs carried out by the Federal science agencies; and
(C) encourage students and faculty at the eligible institution to apply for and successfully earn graduate and professional opportunities from programs supported by the Federal science agencies;
(5) the types of institutions of higher education that are awarded grants to develop a diverse STEM workforce, disaggregated by undergraduate population, public or private institutions, and type of minority-serving institutions.

(b) REPORTS.—The Director shall prepare and submit to Congress, and make publicly available, annual reports that show trends in how research fellowships and scholarships supported by the National Science Foundation are awarded to individuals from underrepresented groups, institutions of higher education, and entities from different geographic areas, in order to better show trends in the participation of individuals from underrepresented groups in such research fellowships and scholarships.

Subtitle C—Strengthening the National Security Research Workforce

SEC. 31. EARLY CAREER FACULTY SUPPORTS.
(a) RISING FACULTY PROFESSIONAL ADVANCEMENT PROGRAM.—
(1) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Director shall select an organization to establish a 5-year pilot program to be known as "Rising Faculty Professional Advancement Program" (referred to in this section as the "program") in order to increase the diversity of students, faculty, and researchers in STEM fields.
(2) PURPOSE.—The purpose of the Rising Faculty Professional Advancement Program shall be to—
(A) increase the number of doctoral-level professionals from underrepresented groups in STEM fields who transition into faculty positions at institutions of higher education;
(B) to improve mentorship and training for researchers who are navigating the transition in the research pipeline to becoming faculty members without a significant decrease in diversity often occurs.
(b) PROGRAM PARTICIPANTS.—
(1) ELIGIBILITY.—An individual shall be eligible to participate in the program if the individual is a doctoral degree holding researcher in a post-doctoral research position or early-career faculty (defined as a faculty researcher with a title of assistant professor or other non-tenured equivalent).
(2) PRIORITY.—In selecting applicants to participate in the program—
(A) priority shall be given to—
(i) applicants from groups who are underrepresented in science and engineering; or
(ii) applicants holding doctoral degrees in STEM fields who transition into faculty positions at minority-serving institutions;
(B) additional consideration may be given to—
(i) applicants holding doctoral degrees from institutions of higher education in the bottom 90 percent of research and development expenditures, as ranked by the National Center for Science and Engineering Statistics; and
(ii) applicants who are women and who hold positions from underrepresented fields.
(3) ACTIVITIES.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the organization shall establish program activities including—
(A) training for Rising Faculty and mentors; and
(B) a program curriculum; and
(C) benchmarks for mentor engagement.
(2) COLLABORATIVE RESEARCH.—The organization shall encourage program participants to develop relationships and enter into collaboration on research projects with Rising Faculty and other mentors within the program.

(c) FUNDING.—Funding for the first year of program enrollment, and on an annual basis during the program, the organization shall—
(A) conduct a survey of Rising Faculty and mentors to determine best practices and outcomes achieved; and

(B) collect information about the demographics of Rising Faculty and mentor participants; and

(C) conduct additional surveys or other analyses of Rising Faculty who completed the program to assess career progression for not more than 5 years following the completion of the program by Rising Faculty.

(d) ASSESSMENT OF THE PILOT PROGRAM AND RECOMMENDATIONS.—Not later than 180 days after the conclusion of the pilot program, the Director shall provide a report to the appropriate committees of Congress with respect to the pilot program, which shall include—

(1) a description and evaluation of the status and effectiveness of the program, including a summary of survey data collected;

(2) an assessment of the success and utility of the pilot program in meeting the purposes of this section;

(3) a summary and analysis of the types and frequency of activities and policies developed and carried out under the pilot program; and

(4) a recommendation about continuing the program on a pilot or permanent basis.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 in each of fiscal years 2022 through 2026.

SA 2079. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 5212, insert the following:

SEC. 5213. PROCESS TO SCREEN GIFTS AND CONTRACTS FOR INTERNATIONAL RESEARCH.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the President shall establish and implement a process for the screening of gifts and contracts described in subsection (b) to institutions of higher education.

(b) GIFTS AND CONTRACTS DESCRIBED.—A gift or contract described in this subsection is any gift to an institution of higher education from a Chinese person, or the entry into a contract by such an institution with a Chinese person, if—

(1) the value of the gift or contract equals or exceeds $1,000,000; or

(2) the gift or contract—

(A) relates to research, development, or production of critical technologies and provides information potential of any material nonpublic technical information in the possession of the institution; or

(B) is a restricted or conditional gift or contract described in section 117(b) of the Higher Education Act of 1965 (20 U.S.C. 1011f(h)) that establishes control.

(c) DEFINITIONS.—In this section:

(1) CHINESE PERSON.—The term "Chinese person" means—

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

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

(2) CONTRACT.—The term "contract" means any agreement for the acquisition of purchase, lease, or barter of property or services by a Chinese person, for the direct benefit or use of either of the parties.

(3) GIFT.—The term "gift" means any gift of money or property.

(4) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" means any institution, public or private, or, if a multicampus institution, any single campus of such institution, in any State that—

(A) is legally authorized within such State to provide a program of education beyond secondary school;

(B) is exempt from Federal income tax under section 501(c)(3) of title 26; or

(C) conducts education, research, or extension programs.

(5) INSTRUMENTS OF THE PEOPLES REPUBLIC OF CHINA.—The term "Instruments of the People's Republic of China" means—

(A) an individual who is a citizen or national of any country that the Secretary of State, in consultation with the heads of other relevant agencies, shall determine to be an Instrument of the People's Republic of China because such person—

(i) is a member of the Communist Party of China; or

(ii) is affiliated with the Communist Party of China in any way;

(B) an entity organized under the laws of any country that the Secretary of State, in consultation with the heads of other relevant agencies, shall determine to be an Instrument of the People's Republic of China because such entity—

(i) is owned or controlled by an Instrument of the People's Republic of China; or

(ii) is a member organization, an agent, a subsidiary, or any part of an Instrument of the People's Republic of China; or

(C) a government of any country that the Secretary of State, in consultation with the heads of other relevant agencies, shall determine to be an Instrument of the People's Republic of China because such government—

(i) is owned or controlled by an Instrument of the People's Republic of China; or

(ii) is affiliated with the Communist Party of China in any way.

(d) SCREENING REQUIREMENTS.—In this section, "screening" means any action taken by the President or a designated official of the Federal Government to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2510 of division B, strike subsections (a) through (d) and insert the following:

(1) MANDATORY ORIGIN AND LOCATION DISCLOSURE FOR PRODUCTS OFFERED FOR SALE ON THE INTERNET.—

(A) Disclosure.—Subject to subparagraph (C), it shall be unlawful for a product that is required to be marked under a provision of law (or its implementing regulations) described in subparagraph (B) to be introduced, sold, advertised, or offered for commerce on an internet website unless the internet website description of the product—

(i) indicates in a conspicuous place the country of origin of the product (or, in the case of multi-sourced products, countries of origin), in a manner consistent with the regulations prescribed under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) and the country of origin marking regulations administered by U.S. Customs and Border Protection; and

(ii) identifies in a conspicuous place the country in which the seller of the product is located (and, if applicable, the country in which any parent corporation of such seller is located).

(B) PROVISIONS OF LAW DESCRIBED.—The provisions of law described in this subparagraph are the following:

(i) Section 333 of title 49, United States Code.


(v) Subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.).


(C) DISCLOSURES.—In general.—In the case of a product regulated by a provision of law (or its implementing regulations) described in clause (v), subsection (a) of such provision shall disclose under clauses (i) and (ii) of subparagraph (A) only if the
product is required to comply with country of origin labeling requirements under a provision of law (or its implementing regulations) described in clause (v), (vi), or (vii) of subparagraph (B).

(ii) Drugs.—The disclosure requirements under clauses (i) and (ii) of subparagraph (A) shall not apply to a pharmaceutical product subject to the jurisdiction of the Food and Drug Administration.

(2) Certain drug products. — It shall be unlawful for a drug that is not subject to section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(b)) and that is required to be marked under section 384 of the Tariff Act of 1930 (19 U.S.C. 1304) to be offered for sale in commerce on an internet website unless the internet website description of the drug indicates in a conspicuous place the name and place of business of the manufacturer, packer, or distributor that is required to appear on the label of the drug in accordance with section 502(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(b)).

(3) Obligation to provide. — A manufacturer, importer, distributor, seller, supplier, or private labeled product to have a product introduced, sold, advertised, or offered for sale in commerce shall provide the information identified in clauses (i) and (ii) of paragraph (2), as applicable, to the relevant retailer or internet website marketplace.

(4) Sale or Harbor. — A retailer or internet website marketplace satisfies the disclosure requirements under clauses (i) and (ii) of paragraph (1)(A) or paragraph (2), as applicable, if the disclosure includes the country of origin and seller information provided by a third-party manufacturer, importer, distributor, seller, supplier, or private labeler of the product.

(b) Prohibition on false and misleading representation of United States origin on internet websites.

(1) Unlawful activity. — Notwithstanding any other provision of law, and except as provided for in paragraph (2), it shall be unlawful to make any false or deceptive representation that a product or its parts or processing are of United States origin in any labeling, advertising, or other promotional materials, or any other form of marketing, including marketing through digital or electronic means in the United States.

(2) Deceptive representation. — For purposes of paragraph (1), a representation that a product or its parts or processing are of United States origin is deceptive if, at the time the representation is made, such claim is not consistent with section 5 of the Federal Trade Commission Act (15 U.S.C. 45(a)) and any regulations promulgated by the Commission pursuant to section 32303 of the Violent Crime Control and Law Enforcement Act of 1994 (15 U.S.C. 45a), provided that no other Federal statute or regulation applies.

(3) Limitation of liability. — A retailer or internet website marketplace is not liable for a violation of this subsection if a third-party manufacturer, distributor, seller, supplier, or private labeler provided the retailer or internet website marketplace with a false or deceptive representation as to the country of origin of a product or its parts or processing.

(c) Enforcement by Commission.

(1) Unfair or deceptive acts or practices. — A violation of subsection (a) or (b) shall be treated as a violation of a rule prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) Powers of the Commission. —

(A) In general. — The Commission shall enforce the provisions of this Act and any regulations promulgated thereunder, in addition to the provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) as though all applicable terms and provisions of that Act were incorporated and made a part of this section.

(B) Privileges and immunities.—Any person that violates subsection (a) or (b) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.) as though all applicable terms and provisions of that Act were incorporated and made a part of this section.

(C) Administrative Presumption. — Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(D) Interagency Agreement. — Not later than 6 months after the date of enactment of this division, the Commission, the U.S. Customs and Border Protection, and the Department of Agriculture shall—

(A) enter into a Memorandum of Understanding or other appropriate agreement for the purpose of providing consistent implementation of this section; and

(B) publish such agreement to provide public guidance.

(4) Definition of Commission. — In this subsection, the term "Commission" means the Federal Trade Commission.

(d) Effective date. — This section shall take effect 12 months after the date of the publication of a final rule under section 2213 of the Tariff Act of 1930 to be incorporated into and made a part of this section.

SEC. 2214. CRITICAL MINERALS MINING AND RECYCLING RESEARCH.

(a) Critical minerals mining and recycling research and development at the Foundation.

(1) In general. — In order to support supply chain resiliency, the Secretary of Energy, in coordination with the Director, shall issue a request for proposals to establish a program to advance critical minerals mining, recycling, and reuse, to advance mineral materials that are subject to supply disruptions.

(2) Use of funds. — Activities funded by an award under this section may include—

(A) advancing critical minerals mining and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical minerals mining and development activities to improve separation, alloying, manufacturing, or recycling technologies that can decrease energy intensity, waste, potential environmental impact, and costs of those activities;

(C) advancing research and development of critical minerals mining and recycling technologies that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technology hubs; and

(D) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at mine sites;

(E) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(F) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(G) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(H) building a technology hub program, including the development of data sets that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technology hubs.

(2) Use of funds. — Activities funded by an award under this section may include—

(A) advancing critical minerals mining and recycling research and development activities that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technology hubs;

(B) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at mine sites;

(C) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(D) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(E) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(F) building a technology hub program, including the development of data sets that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technology hubs.

(2) Use of funds. — Activities funded by an award under this section may include—

(A) advancing critical minerals mining and recycling research and development activities that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technology hubs;

(B) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at mine sites;

(C) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(D) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(E) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(F) building a technology hub program, including the development of data sets that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technology hubs.

(3) Obligation to provide. — A manufacturer, importer, distributor, seller, supplier, or private labeled product to have a product introduced, sold, advertised, or offered for sale in commerce on an internet website unless the internet website description of the drug indicates in a conspicuous place the name and place of business of the manufacturer, packer, or distributor that is required to appear on the label of the drug in accordance with section 502(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(b)).
United States policies, procedures, and plans as it relates to critical minerals, including—
(i) Federal research, development, and deployment efforts to optimize methods for extraction, concentration, separation, and purification of conventional, secondary, and unconventional sources of critical minerals, including research that prioritizes end-to-end integration and mining and recycling techniques and the end-use target for critical minerals;
(ii) efficient use and reuse of critical minerals, including recycling technologies for critical minerals and the reclamation of critical minerals from components such as spent batteries;
(iii) the addressing the technology transitions between research or lab-scale mining and recycling and commercialization of these technologies;
(iv) the critical minerals workforce of the United States; and
(v) United States private industry investments in innovation and technology transfer from federally funded science and technology;
(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including activities related to the reuse of critical minerals via recycling;
(C) to ensure the transparency of information and data related to critical minerals; and
(D) to provide recommendations on coordination and collaboration among the research, development, and deployment programs and activities of Federal agencies to promote a secure and reliable supply of critical minerals necessary to maintain national security, economic well-being, and industrial production.
(3) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall, taking into account the findings and recommendations of the relevant advisory committees, identify and evaluate Federal policies and regulations that restrict the mining of critical minerals.
(4) MANDATORY RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall:
(A) to develop, and update as necessary, a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and substitution for critical minerals and metals and end-use products or from waste products produced during the metal refining and manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metalurgy activities.

SA 2084. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1977 submitted by Mr. MERKLEY in the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resilience program, and to establish other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 3 and all that follows through page 3, line 22, and insert the following:

SEC. 3219. SENSE OF CONGRESS ON STANDING WITH AUSTRALIA AGAINST ECONOMIC COERCION.
(a) SENSE OF CONGRESS.—It is the sense of Congress that the Alliance between the United States and Australia provides strategic, economic, and cultural value to both nations;
(b) the security and prosperity of each is vital to the future security and prosperity of both nations;
(c) the close, longstanding cooperation between the United States and Australia in strategic and military affairs is built on strong bonds of trust between the two nations and a shared goal of establishing a free, open, secure, prosperous, and resilient Indo-Pacific;
(d) Australia continues to be the target of a concerted campaign of economic coercion by the People's Republic of China aimed at punishing the government and people of one of the United States' closest allies for the exercise of their sovereign, democratic rights;
(e) the People's Republic of China employs similar forms of economic coercion against other countries, not only within the Indo-Pacific but around the world;
(f) such a campaign is an attempt to undermine the sovereignty of Australia and the ability of the Government of Australia to act in concert with the United States toward the shared goal of a free and open Indo-Pacific; and
(g) the routine use of economic coercion by the People's Republic of China against other countries can undermine those countries' national security from attempts to assert their own sovereignty, democratic values, and human rights, and is therefore a threat to a free and open global order.
(b) STATEMENT OF POLICY.—It shall be the policy of the United States—
(1) to stand with Australia, providing relevant support to the Government and people of Australia so that they may defend their national security and economic coercion by the People's Republic of China to the greatest extent possible;
(2) to work with the Government of Aus-
tra and other allies and partners to co-
derate collective, cooperative responses to
both threatened and actual instances of eco-
nomic coercion by the People’s Republic of
China; and
(3) to put in place the appropriate per-
sonnel, mechanisms, and collective struc-
tures for the reduction of economic coercion
and information about how their businesses
can succeed;

(b) providing technical assistance to assist
employee efforts to become business owners,
to enable employees and employers to ex-

SA 2085. Mrs. BLACKBURN submitted an amend-
ment intended to be proposed to amendment SA 1502 pro-
posed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the Na-
tional Science Foundation, to establish a regional technology hub program, to require a strategy and report on eco-
nomic security, science, research, innova-
tion, manufacturing, and job cre-
at, to establish a critical supply chain resil-
ancy program, and for other purposes; which was ordered to lie on
the table; as follows:

Beginning on page 341, strike line 22 and all that follows through page 342, line 19, and insert the following:

(1) DETERMINATION RELATED TO CERTAIN OPTICAL TRANSMISSION EQUIPMENT.—

(1) PROCEEDING.—Not later than 45 days after the date of enactment of this sub-
section, the Secretary of Commerce shall commence a process to make a determination for purposes
of subsection (b) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601) whether future transactions in-
volving optical transmission equipment that is manufactured, produced, or distributed by an entity owned, controlled, or supported by
the People’s Republic of China and that is capable of routing or redirecting user data traffic or permitting visibility into any user data
or packets that such equipment trans-

(2) COMMUNICATION OF DETERMINATION.—If the Secretary determines pursuant to para-
graph (1) that future transactions involving such equipment would pose an unacceptable risk consistent with that paragraph, the Secretary shall im-
mEDIATELY transmit that determination to the Federal Communications Com-

SA 2086. Mr. MORAN (for himself and Mr. SANDERS) submitted an amend-
ment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to estab-
lish a critical supply chain resili-
ency program, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 106. WORKER OWNERSHIP, READINESS, AND KNOWLEDGE.

(a) DEFINITIONS.—In this section:

(1) EXISTING PROGRAM.—The term ‘‘existing program’’ means a program, designed to pro-

(b) EMPLOYEE OWNERSHIP AND PARTICIPA-
TION INITIATIVE.—

(1) ESTABLISHMENT.—The Secretary shall establish within the Department of Com-
merce an Employee Ownership and Participa-
tion Initiative to promote employee own-
ership and employee participation in busi-
tess decisionmaking;

(2) FUNCTIONS.—In carrying out the Initia-
tive, the Secretary shall—

(A) support new programs and existing pro-
grame by—

(i) making Federal grants authorized under subsection (d); and

(ii) acting as a clearinghouse on tech-
niques employed by new programs and exist-
ing programs within the States, and dissemi-
nating information relating to those tech-
niques to the programs;

(B) facilitate within the States the forma-
tion of new programs designed to promote employee ownership and employee participa-
tion in business decisionmaking;

(C) ensuring that the functions enumerated in paragraph (2), the Secretary shall—

(i) support new programs and existing pro-
grame by—

(ii) acting as a clearinghouse on tech-
niques employed by new programs and exist-
ing programs within the States, and dissemi-
nating information relating to those tech-
niques to the programs;

(iii) funding projects for information gath-
ering on those techniques, and dissemination
of that information to the programs, by groups outside the Department of Commerce; and

(iv) facilitate the formation of new pro-
grame, in ways that include holding or fund-
ing an annual conference of representatives from States developing new programs, re-
representatives from States developing new pro-
grame, and representatives from States with-
out existing programs.

(c) PROGRAMS REGARDING EMPLOYEE OWN-
ERSHIP AND PARTICIPATION.—

(1) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop, implement, and operate a pr-
gram to encourage new programs and exist-
ing programs within the States to foster em-
ployee ownership and employee participation in business decisionmaking throughout the United States;

(2) PURPOSE OF PROGRAM.—The purpose of the program established under paragraph (1) is to encourage new and existing programs within the States that focus on—

(A) providing education and outreach to in-
form employers and employees about the possible benefits and opportunities of employee owner-
ship, business ownership succession planning, and employee participation in business decisionmaking, including providing infor-
mation on model employee ownership programs and new employee ownership programs,

(b) Employer Ownership and Participation Initiative. The Secretary shall establish within the
Department of Commerce an Employee Ownership and Participation Initiative to promote employee ownership and participation in business decisionmaking.

(1) Establishment. The Secretary shall establish within the Department of Commerce an Employee Ownership and Participation Initiative to promote employee ownership and participation in business decisionmaking.

(2) Functions. In carrying out the Initiative, the Secretary shall—

(A) support new programs and existing programs by—

(i) making Federal grants authorized under subsection (d); and

(ii) acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs;

(B) facilitate within the States the formation of new programs designed to promote employee ownership and employee participation in business decisionmaking;

(C) ensuring that the functions enumerated in paragraph (2), the Secretary shall—

(i) support new programs and existing programs by—

(ii) acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs;

(iii) funding projects for information gathering on those techniques, and dissemination of that information to the programs, by groups outside the Department of Commerce; and

(iv) facilitate the formation of new programs, in ways that include holding or funding an annual conference of representatives from States developing new programs, representatives from States developing new programs, and representatives from States without existing programs.

(D) Training other entities to apply for grants under the program established under subsection (b).

(E) Promote employee ownership of, and participation in, businesses.

(F) Encourage a strategy and report on economic security, science, research, innovation, manufacturing, and job creation.

(G) Establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 106. WORKER OWNERSHIP, READINESS, AND KNOWLEDGE.

(a) Definitions. In this section:

(1) Existing Program. The term ‘‘existing program’’ means a program, designed to pro-
mote employee ownership and employee par-
ticipation in business decisionmaking, that exists on the date on which the Secretary is carry-
ing out a responsibility authorized under this section.

(2) Initiative. The term ‘‘Initiative’’ means the Employee Ownership and Participation Initiative established under subsection (b).

(3) New Program. The term ‘‘new program’’ means a program, designed to pro-
mote employee ownership and employee participa-
tion in business decisionmaking, that does not exist on the date on which the Sec-

(A) proactive in encouraging actions and activities that promote employee ownership of and participation in businesses; and

(B) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broadening capital ownership.

(d) Grants.

(1) In General. In carrying out the program established under subsection (c), the Secretary may make grants for use in connection with new and existing programs within a State for any of the following activities:

(A) Target specific groups, such as retiring business owners, senior managers, unions, trade associations, community organizations, and economic development organizations;

(B) encourage cooperation in the organiza-
tion of workshops and other events; and

(C) prepare and distribute materials concern-
ing employee ownership and participation, and business ownership succession planning.

(B) in the case of activities described in paragraph (2)(B)—

(i) provide preliminary technical assistance to employee groups, managers, and retirees exploring the possibility of em-

(C) in the case of activities described in paragraph (2)(C)—

(i) provide for courses on employee participa-
tion; and

(ii) provide for visits to existing programs by employees, managers, and employers from new programs receiving funding under this section; and

(iii) provide materials to be used for such training.

(4) Guidance. The Secretary shall issue formal guidance, for recipients of grants awarded under subsection (d) and one-stop partners (as defined in section 3 of the Work-
force Innovation and Opportunity Act (29 U.S.C. 3102)) affiliated with the workforce de-
velopment systems (as so defined) of the States, proposing that programs and other activities funded under this section be—

(A) proactive in encouraging actions and activities that promote employee ownership of and participation in businesses; and

(B) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broadening capital ownership.
(A) Education and outreach as provided in subsection (c)(2)(A).

(B) Technical assistance as provided in subsection (c)(2)(B).

(C) Training activities for employees and employers as provided in subsection (c)(2)(C).

(D) Activities facilitating cooperation among employee-owned firms.

(E) Grants provided in subsection (c)(2)(D) for new programs provided by participants in existing programs dedicated to the objectives of this section, except that, for each of the 36-month period following the enactment of this Act, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this section.

(f) REPORTING.—The Secretary shall determine the amount and any conditions for a grant made under this subsection. The amount of the grant shall be subject to paragraph (6), and shall reflect the capacity of the applicant for the grant.

(2) APPLICATIONS.—Each entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(g) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) In general.—There are authorized to be appropriated for the purpose of making grants pursuant to subsection (d) the following:

(A) For fiscal year 2022, $4,000,000.

(B) For fiscal year 2023, $7,000,000.

(C) For fiscal year 2024, $10,000,000.

(D) For fiscal year 2025, $13,000,000.

(E) For fiscal year 2026, $16,000,000.

(2) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated for the purpose of funding the administrative expenses related to the Initiative, for each of fiscal years 2022 through 2026, an amount not in excess of the lesser of:

(A) $350,000; or

(B) 5.0 percent of the maximum amount available under paragraph (1) for that fiscal year.

(1) In general.—There are authorized to be appropriated for the Defense Advanced Research Projects Agency to conduct research in key technology focus areas.

(a) IN GENERAL.—There are authorized to be appropriated for the Defense Advanced Research Projects Agency to conduct research in key technology focus areas as follows:

(1) $600,000,000 for fiscal year 2022.

(2) $1,200,000,000 for each of fiscal years 2023 through 2026.

(b) NOT SUPPLANT.—The amounts authorized to be appropriated by subsection (a) shall supplement and not supplant amounts appropriated for the Defense Advanced Research Projects Agency before the date of the enactment of this Act.

(2) SEC. 539. AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CONDUCT RESEARCH ON KEY TECHNOLOGY FOCUS AREAS.

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

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

SEC. 540. AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CONDUCT RESEARCH ON KEY TECHNOLOGY FOCUS AREAS.

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

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

SEC. 541. AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CONDUCT RESEARCH ON KEY TECHNOLOGY FOCUS AREAS.

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

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

SEC. 542. AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CONDUCT RESEARCH ON KEY TECHNOLOGY FOCUS AREAS.

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

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

SEC. 543. AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CONDUCT RESEARCH ON KEY TECHNOLOGY FOCUS AREAS.

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

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

SEC. 544. AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CONDUCT RESEARCH ON KEY TECHNOLOGY FOCUS AREAS.

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

At the appropriate place in division B, insert the following:
European and Eurasian Affairs, and other relevant bureaus;

(9) subject to the direction of the President and the Secretary of State, represent the United States to foreign governments, participate in international organizations and matters at large with respect to matters and cases relevant to Arctic affairs in—

(A) contacts with foreign governments, intergovernmental organizations, and special entities of the United Nations, the Arctic Council, and other international organizations of which the United States is a member; and

(B) multilateral conferences and meetings relating to Arctic affairs;

(10) serve as the principal advisor to the Secretary of State and as the senior advisor to the President regarding matters affecting Arctic affairs;

(11) make recommendations regarding the policies of the United States relating to Arctic affairs;

(12) assist the Bureau of European and Eurasian Affairs with the development and implementation of the Arctic Region Security Policy pursuant to subsection (g); and

(13) perform such other duties and exercise such powers as the Secretary of State shall prescribe.

(b) The Secretary shall:

(1) in paragraph (4)—

(A) CAREER AND TECHNICAL EDUCATION.—Section 481(d) of the Higher Education Act of 1965 (20 U.S.C. 1088(d)) is amended by adding at the end the following:

"(VII) has been determined by the eligible job training program described in item (ee);"

(B) ELIGIBLE JOB TRAINING PROGRAM.—Section 481(d) of the Higher Education Act of 1965 (20 U.S.C. 1088(d)) is amended by adding at the end the following:

"(ee) a comprehensive local needs assessment, as described in section 116(c) of the Workforce Innovation and Opportunity Act;"

(C) CURRENTE ACT OF JOB TRAINING FEDERAL PELL GRANTS; TECHNICAL CORRECTIONS.—Section 481(d) of the Higher Education Act of 1965 (20 U.S.C. 1088(d)) is amended by adding at the end the following:

"(IV) provides a student, upon completion of the program, a comprehensive program evaluation, which each student shall confirm receiving through a written affirmation or completion of the program agreement containing, at a minimum, the following information applicable, in accordance with paragraph (8)—"

(8) total earnings of students who complete the program;

(9) the difference between required tuition and fees of the student and any grant aid provided to the student;

(10) the completion rate of the program;

(11) the percentage of students placed or retained in employment, measured not less than 6 months and 1 year, respectively, after completion of the program;

(12) the number of students who complete the program not less than 6 months after completion of the program;

(13) the number of students who do not complete the program;

(14) the ratio of the amount that is the difference between required tuition and fees and any grant aid provided to the student described in item (12) to the total earnings of students who complete the program not less than 6 months after completion of the program; and

(15) an explanation, in clear and plain language, of the ratio described in item (14).

(2) in paragraph (5), by striking "and supported by Federal funds.")

(c) CURRENT PRACTICE OF JOBT ReDING FEDERAL PELL GRANT PROGRAM.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1088a) is amended by adding at the end the following:

"(ii) in general.—The term ‘eligible job training program’ means a career and technical education program at an eligible institution of higher education that—"

(1) provides not less than 150, and not more than 1,000, clock hours of instructional time over a period of not less than 8 weeks and not more than 15 weeks; and

(2) offers such a job training program in a geographic area to the extent provided for in section 412(a)(1) and 481(d) of the Higher Education Act of 1965 (20 U.S.C. 1082(a)(1) and 1088(d)) with respect to the placement of students who complete the program in employment in the area in which the program is located; and

(3) provides such a job training program to students who are members of a State or local area in which the job training program is located, and and as determined by—"

(‘’aa) a State plan or local board;"

(bb) a State plan, as described in section 122(d)(13)(C) of the Carl D. Perkins Career and Technical Education Act of 2006; or

(cc) a comprehensive local needs assessment, as described in section 134(c) of the Carl D. Perkins Career and Technical Education Act of 2006;"

(3) provide that—"

(‘’aa) the eligible job training program is for the benefit of students who are members of the Armed Forces who have been or are being called to active duty in support of the Global War on Terrorism;

(bb) the eligible job training program is for the benefit of students who are members of an Armed Force ordered to active duty in support of the Global War on Terrorism;"

and

(3) to advance principles of good governance by encouraging and cooperating with Arctic nations on collaborative approaches—

(A) to develop mutually agreed upon multilateral policies among Arctic nations on the management of maritime transit routes through the Arctic Region and work cooperatively with international organizations, including the United Nations, the Arctic Council, and other regional and international organizations, to make recommendations to the United States on actions that would advance the policies and actions of the United States; and

(B) to develop mutually agreed upon multilateral policies among Arctic nations on the management of maritime transit routes through the Arctic Region and work cooperatively with international organizations, including the United Nations, the Arctic Council, and other regional and international organizations, to make recommendations to the United States on actions that would advance the policies and actions of the United States; and
or find employment in such sectors or occupations that the program prepares students to enter;

(VIII) has in operation for not less than 3 years a program meeting the requirements of an eligible job training program under this subsection;

(ix) does not exceed by more than 5 percent the minimum number of clock hours required to receive a professional license or certification in the State, if the State has established such a requirement;

(xi) includes institutional credit articulation for a subsequent credit-bearing certificate or degree program previously approved under clause (ii) or (iii) to determine whether such program is meeting the requirements of an eligible job training program described in this subsection.

(y) revocation of approval by the Secretary. — The Secretary shall not determine that a program previously approved under clause (ii) or (iii) is no longer meeting any of the requirements of an eligible job training program described in this subsection, the Secretary—

(1) shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period;

(2) may withdraw approval for such program before the expiration of the approval period;

(3) shall ensure students who enrolled in such programs have access to transcripts for completing such program without a fee or monetary charge and without regard to any balance owed to the institution; and

(4) shall prohibit such program and any substantially similar program, from being considered an eligible job training program described in this subsection for a period of not less than 5 years.

(a) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006;

(b) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

(c) is a program that seeks to establish initial eligibility as an eligible job training program under this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this subparagraph not less than 50 percent directly by the eligible institution of higher education;

(d) includes institutional credit articulation for a subsequent credit-bearing certificate or degree program previously approved under clause (ii) or (iii) to determine whether such program is meeting the requirements of an eligible job training program described in this subsection, the Secretary—

(1) shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period;

(2) may withdraw approval for such program before the expiration of the approval period;

(3) shall ensure students who enrolled in such programs have access to transcripts for completing such program without a fee or monetary charge and without regard to any balance owed to the institution; and

(4) shall prohibit such program and any substantially similar program, from being considered an eligible job training program described in this subsection for a period of not less than 5 years.

(x) meets the requirements of section 484(d)(2);

(xi) is offered as part of a program that—

(aa) meets the requirements of section 484(d)(2);

(bb) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

(cc) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

(III) in general.—In the case of a program that is seeking to establish initial eligibility as an eligible job training program under this subparagraph, the Secretary shall make a determination whether the program meets the requirements of this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this paragraph, the Secretary shall grant approval for a period of not less than 3 years.

(a) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006;

(b) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

(c) is a program that seeks to establish initial eligibility as an eligible job training program under this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this subparagraph not less than 50 percent directly by the eligible institution of higher education;

(d) includes institutional credit articulation for a subsequent credit-bearing certificate or degree program previously approved under clause (ii) or (iii) to determine whether such program is meeting the requirements of an eligible job training program described in this subsection, the Secretary—

(1) shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period;

(2) may withdraw approval for such program before the expiration of the approval period;

(3) shall ensure students who enrolled in such programs have access to transcripts for completing such program without a fee or monetary charge and without regard to any balance owed to the institution; and

(4) shall prohibit such program and any substantially similar program, from being considered an eligible job training program described in this subsection for a period of not less than 5 years.

(x) meets the requirements of section 484(d)(2);

(xi) is offered as part of a program that—

(aa) meets the requirements of section 484(d)(2);

(bb) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

(cc) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.
(B) DATA ON ELIGIBLE JOB TRAINING PROGRAMS.—Except as provided under subparagraph (C), each institution of higher education offering an eligible job training program containing categories of the Secretary awards job training Federal Pell Grants under this subsection, the Secretary shall, on at least an annual basis, collect and publish data with respect to each eligible job training program, including the following:

(1) The number and demographics of students who enroll in the program, including, at a minimum, disaggregated by—

(I) sex;

(II) race and ethnicity;

(III) classification as a student with a disability;

(IV) income quintile, as defined by the Secretary;

(V) the 6 months of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code (or other authorities available to the Department of Defense); or status as a veteran;

(VI) status as a first-time student or transfer student from another institution;

(VII) status as a first-generation student;

(VIII) status as parent or guardian of 1 or more dependent children; and

(IX) status as a confined or incarcerated individual, as defined under section 1091(a)(1).

(2) The number and demographics, disaggregated by the categories listed in clause (1), including, at a minimum—

(I) students who complete the program; and

(II) students who do not complete the program.

(3) The required tuition and fees of the program;

(4) The earnings of students, disaggregated by the categories listed in clause (1), including, at a minimum—

(I) total earnings of students who complete the program; and

(II) total earnings of students who do not complete the program.

(5) Additional outcomes of the students who complete the program, disaggregated by the categories listed in clause (1), including, at a minimum—

(I) the completion rate of such students;

(II) the percentage of such students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

(III) the share of such students who pass such exams;

(IV) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year;

(V) the share of such students who transfer to another institution of higher education within 1 year; and

(VI) the share of such students who complete a subsequent certificate or degree program within 6 years.

(C) EXCEPTION.—Notwithstanding any other provision of this paragraph—

(i) if disclosure of disaggregated data under subparagraph (B) is prohibited from disclosure due to applicable privacy restrictions, the Secretary may take such steps as the Secretary determines necessary to provide meaningful disaggregated student demographic or outcome information, including by combining categories; and

(ii) an institution may submit, and the Secretary may publish, data required to be collected under subparagraph (B) that is obtained from the Unemployment Insurance Agency or through other supplemental means, in lieu of any additional data collection, provided that such data are statistically rigorous, accurate, comparable, and representative.

(D) REPORT.—Not later than July 1, 2025, the Secretary shall—

(i) submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the impact of an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, based on the most recent data collected under subparagraph (B); and

(ii) make the report described in clause (i) available publicly on the website of the Department.

(E) FUTURE ENACTMENT OF JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

(I) IN GENERAL.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a), as amended by section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 112-58), amended by adding at the end the following:

(KE) JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ has the meaning given in section 107(a)(20) of the Carl D. Perkins Career and Technical Education Act.

(B) ELIGIBLE JOB TRAINING PROGRAM.—

(1) IN GENERAL.—An eligible job training program means a career and technical education program at an eligible institution of higher education that—

(I) provides training aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations in the State or local area in which the job training program is provided, as determined by—

(aa) a State board or local board;

(bb) a State plan, as described in section 122(d)(13)(C) of the Carl D. Perkins Career and Technical Education Act of 2006; or

(cc) a comprehensive local needs assessment, as described in section 134(c) of the Carl D. Perkins Career and Technical Education Act of 2006;

(II) may be offered as part of a program that—

(aa) a State or local area in which the job training program; and

(bb) an explanation, in clear and plain language, of the ratio described in item (gg).

(2)(A) CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ has the meaning given in section 107(a)(20) of the Carl D. Perkins Career and Technical Education Act.

(B) ELIGIBLE JOB TRAINING PROGRAM.—

(1) IN GENERAL.—An eligible job training program means a career and technical education program at an eligible institution of higher education that—

(I) the completion rate of such students; and

(II) the percentage of students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

(III) the total earnings of students who complete the program not less than 6 months after completion of the program;

(IV) the share of such students who complete the program;

(V) the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less than 6 months after completion of the program;

(VI) the share of such students who complete the program;

(VII) the ratio of the amount that is the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less than 6 months after completion of the program;

(VIII) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year;

(VII) additional outcomes of the students who complete the program, including, at a minimum—

(A) the share of such students who complete the program;

(B) the percentage of such students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

(C) the share of such students who pass such exams;

(D) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year;

(E) the share of such students who transfer to another institution of higher education within 1 year; and

(F) the share of such students who complete a subsequent certificate or degree program within 6 years.

(C) EXCEPTION.—Notwithstanding any other provision of this paragraph—

(1) if disclosure of disaggregated data under subparagraph (B) is prohibited from disclosure due to applicable privacy restrictions, the Secretary may take such steps as the Secretary determines necessary to provide meaningful disaggregated student demographic or outcome information, including by combining categories; and

(2) an institution may submit, and the Secretary may publish, data required to be collected under subparagraph (B) that is obtained from the Unemployment Insurance Agency or through other supplemental means, in lieu of any additional data collection, provided that such data are statistically rigorous, accurate, comparable, and representative.

(D) REPORT.—Not later than July 1, 2025, the Secretary shall—

(1) submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the impact of an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, based on the most recent data collected under subparagraph (B); and

(2) make the report described in clause (1) available publicly on the website of the Department.

(E) FUTURE ENACTMENT OF JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

(I) IN GENERAL.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a), as amended by section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 112-58), amended by adding at the end the following:

(KE) JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ has the meaning given in section 107(a)(20) of the Carl D. Perkins Career and Technical Education Act.

(B) ELIGIBLE JOB TRAINING PROGRAM.—

(1) IN GENERAL.—An eligible job training program means a career and technical education program at an eligible institution of higher education that—

(I) the completion rate of such students;

(II) the percentage of students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

(III) the total earnings of students who complete the program not less than 6 months after completion of the program;

(IV) the share of such students who complete the program;

(V) the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less than 6 months after completion of the program;

(VI) the share of such students who complete the program;

(VII) the ratio of the amount that is the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less than 6 months after completion of the program;

(VIII) the share of such students who complete the program;

(IX) does not exceed by more than 50 percent the minimum number of clock hours required by a State to receive a professional license or certification in the State, if the State has established such a requirement;

(X) includes institutional credit articulation for a student enrolled in a noncredit job training program.

(XI) is not offered exclusively through distance education or a correspondence course, except as determined by the Secretary, on a temporary basis, in connection with—

(aa) major disaster or emergency declared by the President under section 401 or 506 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191); or

(bb) national emergency declared by the President under section 201 of the National Emergency Act (50 U.S.C. 1601 et seq.);

(XII) is provided not less than 1 year prior to becoming an eligible job training program under this subsection;

(XIII) includes integrated education and training; and

(XIV) may be offered as part of a program that—

(aa) meets the requirements of section 484(d)(2);

(bb) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

(cc) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

(E) APPROVAL BY THE SECRETARY.—

(1) IN GENERAL.—In the case of a program that is seeking to establish initial eligibility as an eligible job training program under this subsection, the Secretary shall make a determination whether the program meets
the requirements of this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this section, the Secretary shall grant an initial period of approval for 2 years. The Secretary shall enable institutions of higher education and eligible job training programs to submit an application for renewal of such approval not later than 1 year after the date of enactment of the United States Innovation and Competition Act of 2021. 

(v) Periodic review by the Secretary.—The Secretary shall periodically review a program previously approved under clause (ii) or (iii) to determine whether such program is meeting the requirements of an eligible job training program described in this subsection.

(vi) Revocation of approval by the Secretary.—If at any time the Secretary determines that a program previously approved under clause (ii) or (iii) is no longer meeting any of the requirements of an eligible job training program described in this subsection, the Secretary—

I shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period.

II shall withdraw approval for such program before the expiration of the approval period.

III shall ensure students who enrolled in such programs have access to transcripts for any of the requirements of an eligible job training program under this subsection.

IV shall prohibit such program and any substantially similar program, from being considered an eligible job training program in the next section for a period of not less than 5 years.

(vii) Additional assurance by state board.—The Secretary shall not determine that a program is an eligible job training program in accordance with clause (ii) unless the Secretary receives a certification from the State board representing the State in which the eligible job training program is provided, containing an assurance that the program meets the requirements of clause (i).

(3) Total earnings.—For the purposes of this subsection, the term ‘total earnings’ means the median annual earnings.

(4) Eligible institution of higher education.—It is a postsecondary educational institution, as defined in section 101 of the Workforce Innovation and Opportunity Act, that meets the requirements of this subsection.

(5) Amount of award.—The amount of a job training Federal Pell Grant for an eligible student shall be determined under subsection (b), except that a student who is eligible for a Pell Grant because the eligible job training program is less than an academic year (in clock-hours and weeks of instructional time) may still be eligible for a Pell Grant.

(6) Inclusion in total eligibility period.—Any period during which a student receives a job training Federal Pell Grant under this subsection shall be included in calculating the student’s period of eligibility for Federal Pell Grants under subsection (d), and the eligibility requirements regarding enrollment of students who are enrolled in an eligible job training program at an eligible institution of higher education on less than a full-time basis shall similarly apply to students who are enrolled in an eligible job training program under this subsection and a Federal Pell Grant under this section.

(7) Same payment period.—No student may for the same payment period receive both a job training Federal Pell Grant under this subsection and a Federal Pell Grant under this section.

(8) Interagency data sharing and data collection.—

(A) Interagency data sharing.—The Secretary shall coordinate and enter into a data sharing agreement with the Secretary of Labor to ensure access to information and data necessary to implement this paragraph, including such data related to indicators of performance collected under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 414).

(B) Data on eligible job training programs.—Except as provided under subparagraph (C), the Secretary shall offer an eligible job training program for which the Secretary awards a job training Federal Pell Grant under this subsection, the Secretary shall, on at least an annual basis, collect and publish data with respect to each such eligible job training program, including the following:

I the number and demographics of students who enroll in the program, including, at a minimum, disaggregated by—

(i) sex;

(ii) race and ethnicity;

(iii) classification as a student with a disability;

(iv) income quintile, as defined by the Secretary;

(V) recipients of assistance under a tuition assistance program conducted by the Department of Defense under section 178a a title 10, United States Code (or other authorities available to the Department of Defense), or status as a veteran;

VI status as a first-time or transfer student from another institution;

VII status as a first-generation student;

(VIII) status as parent or guardian of 1 or more dependent children; and

IX status as a confined or incarcerated individual, as defined under section 484(t)(1)(A).

(B) Program performance information; and

(V) Tuition and fees.—The earnings of students, disaggregated by the categories listed in clause (i), including, at a minimum, of—

I the total earnings of students who complete the program;

II total earnings of students who do not complete the program.

(3) The required tuition and fees of the program;
Additional outcomes of the students who complete the program, disaggregated by the categories listed in clause (i), including, at a minimum:

(I) the completion rate of such students;

(II) the percentage of such students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after the secondary credential offered in the relevant industry is located; and

(III) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams.

(V) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year, and

(VI) the share of such students who complete a subsequent certificate or degree program within 6 years.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(a) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(b) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(3) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the collection of the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(4) INTERAGENCY DATA SHARING FOR JOB TRAINING FEDERAL PELL GRANT PROGRAM.—The Secretary of Labor shall coordinate and enter into a data sharing agreement with the Federal Student Aid, and such other Federal agencies and associations as the Secretary determines necessary to provide meaningful disaggregated student data within 1 year, and

(5) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(6) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(7) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(8) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(9) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(10) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.

(11) by adding at the end the following:

(1) in subparagraph (A), by striking “and” after the semicolon; and

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding the end the following:

(1) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

(ii) the program requires a demonstration that the program—

(A) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

(B) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take an applicable licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.