

AMENDMENTS SUBMITTED AND PROPOSED

SA 4835. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4836. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4837. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4838. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4839. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4840. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4841. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4842. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4843. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4844. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4845. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4846. Mr. CORNYN (for himself, Mr. CARPER, Mr. MENENDEZ, Mr. SCOTT of South Carolina, Ms. HASSAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4847. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4848. Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4849. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4850. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4851. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4852. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4853. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4854. Mr. TUBERVILLE (for himself, Mr. MANCHIN, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4855. Ms. DUCKWORTH (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4856. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4857. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4858. Mr. TOOMEY (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4859. Mr. RISCH (for himself, Mr. PORTMAN, Mr. CRUZ, Mr. BARRASSO, Mr. JOHNSON, Mr. COTTON, Mr. DAINES, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4860. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4835. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1005. REDUCTION IN TOTAL AUTHORIZED FUNDS

The total amount authorized to be appropriated by this Act is hereby reduced by \$24,972,120,000.

SA 4836. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . IMPROVEMENTS TO CHIPS.

Section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) CONDITIONS OF RECEIPT.—

“(1) REQUIRED AGREEMENT.—A covered entity to which the Secretary awards Federal financial assistance under this section shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance—

“(A) the covered entity will not—

“(i) repurchase an equity security that is listed on a national securities exchange of the covered entity or any parent company of the covered entity, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this subsection;

“(ii) outsource or offshore jobs to a location outside of the United States; or

“(iii) abrogate existing collective bargaining agreements; and

“(B) the covered entity will remain neutral in any union organizing effort.

“(2) FINANCIAL PROTECTION OF GOVERNMENT.—

“(A) IN GENERAL.—The Secretary may not award Federal financial assistance to a covered entity under this section, unless—

“(i)(I) the covered entity has issued securities that are traded on a national securities exchange; and

“(II) the Secretary of the Treasury receives a warrant or equity interest in the covered entity; or

“(ii) in the case of any covered entity other than a covered entity described in clause (i), the Secretary of the Treasury receives, in the discretion of the Secretary of the Treasury—

“(I) a warrant or equity interest in the covered entity; or

“(II) a senior debt instrument issued by the covered entity.

“(B) TERMS AND CONDITIONS.—The terms and conditions of any warrant, equity interest, or senior debt instrument received under subparagraph (A) shall be set by the Secretary and shall meet the following requirements:

“(i) PURPOSES.—Such terms and conditions shall be designed to provide for a reasonable participation by the Secretary of Commerce, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.

“(ii) AUTHORITY TO SELL, EXERCISE, OR SURRENDER.—For the primary benefit of taxpayers, the Secretary may sell, exercise, or surrender a warrant or any senior debt instrument received under this subparagraph. The Secretary shall not exercise voting power with respect to any shares of common stock acquired under this subparagraph.

“(iii) SUFFICIENCY.—If the Secretary determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this subparagraph, the Secretary may accept a senior debt instrument in an amount and on such terms as the Secretary determines appropriate.”.

SA 4837. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ____ EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 4838. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ____ EFFECTIVE DATE.

This Act shall take effect on the date that is 2 days after the date of enactment of this Act.

SA 4839. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ____ EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

SA 4840. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ____ EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

SA 4841. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “1 day” and insert “2 days”.

SA 4842. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize

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

On page 1, line 1, strike “2” and insert “3”.

SA 4843. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “3 days” and insert “4 days”.

SA 4844. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “4” and insert “5”.

SA 4845. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1283. IMPOSITION OF SANCTIONS WITH RESPECT TO CHINESE AND RUSSIAN COMPANIES THAT SIGN CONTRACTS OR OTHERWISE DO BUSINESS WITH THE TALIBAN IN STRATEGIC RESOURCE SECTORS.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any covered foreign entity that, on or after the date of the enactment of this Act—

(1) signs a contract with the Taliban with respect to a strategic resource sector; or
(2) otherwise agrees to do business with the Taliban in a strategic resource sector.

(b) SANCTIONS.—

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a covered foreign entity described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the

International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of any regulation, license, or order issued to carry out subparagraph (A) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of that section.

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

(2) INCLUSION ON ENTITY LIST.—The President shall include any covered foreign entity described in subsection (a) on the entity list maintained by the Bureau of Industry and Security and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

(c) DEFINITIONS.—In this section:

(1) COVERED FOREIGN ENTITY.—The term “covered foreign entity” means—

(A) an entity organized under the laws of the People’s Republic of China or the Russian Federation, including any jurisdiction within either such country; or

(B) a significant subsidiary (as defined in section 210.1–02(w) of title 17, Code of Federal Regulations, or successor regulations) of an entity described in subparagraph (A).

(2) CRITICAL MINERAL.—The term “critical mineral” means a critical mineral—

(A) included in the final list of critical minerals published by the Secretary of the Interior in the Federal Register on May 18, 2018 (83 Fed. Reg. 23295); or

(B) as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(3) STRATEGIC RESOURCE SECTOR.—The term “strategic resource sector” means a sector of the economy relating to trade or investment in any critical mineral.

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

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

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

SA 4846. Mr. CORNYN (for himself, Mr. CARPER, Mr. MENENDEZ, Mr. SCOTT of South Carolina, Ms. HASSAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Customs Trade Partnership Against Terrorism

SEC. 1071. SHORT TITLE.

This subtitle may be cited as the “Customs Trade Partnership Against Terrorism Pilot Program Act of 2021” or the “CTPAT Pilot Program Act of 2021”.

SEC. 1072. DEFINITIONS.

In this subtitle:

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

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives.

(2) CTPAT.—The term “CTPAT” means the Customs Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act (6 U.S.C. 961 et seq.).

SEC. 1073. PILOT PROGRAM ON PARTICIPATION OF THIRD-PARTY LOGISTICS PROVIDERS IN CTPAT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program to assess whether allowing entities described in subsection (b) to participate in CTPAT would enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT.

(2) FEDERAL REGISTER NOTICE.—Not later than one year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a notice specifying the requirements for the pilot program required by paragraph (1).

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) a non-asset-based third-party logistics provider that—

(A) arranges international transportation of freight and is licensed by the Department of Transportation; and

(B) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2); or

(2) an asset-based third-party logistics provider that—

(A) facilitates cross border activity and is licensed or bonded by the Federal Maritime Commission, the Transportation Security Administration, U.S. Customs and Border Protection, or the Department of Transportation; and

(B) manages and executes logistics services using its own warehousing assets and resources on behalf of its customers; and

(C) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2).

(c) REQUIREMENTS.—In carrying out the pilot program required by subsection (a)(1), the Secretary shall—

(1) ensure that—

(A) not more than 10 entities described in paragraph (1) of subsection (b) participate in the pilot program; and

(B) not more than 10 entities described in paragraph (2) of that subsection participate in the program;

(2) provide for the participation of those entities on a voluntary basis;

(3) continue the program for a period of not less than one year after the date on which the Secretary publishes the Federal Register notice required by subsection (a)(2); and

(4) terminate the pilot program not more than 5 years after that date.

(d) REPORT REQUIRED.—Not later than 180 days after the termination of the pilot program under subsection (c)(4), the Secretary shall submit to the appropriate congressional committees a report on the findings of, and any recommendations arising from, the pilot program concerning the participation in CTPAT of entities described in subsection (b), including an assessment of participation by those entities.

SEC. 1074. REPORT ON EFFECTIVENESS OF CTPAT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the effectiveness of CTPAT.

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

(1) An analysis of—

(A) security incidents in the cargo supply chain during the 5-year period preceding submission of the report that involved criminal activity, including drug trafficking, human smuggling, commercial fraud, or terrorist activity; and

(B) whether those incidents involved participants in CTPAT or entities not participating in CTPAT.

(2) An analysis of causes for the suspension or removal of entities from participating in CTPAT as a result of security incidents during that 5-year period.

(3) An analysis of the number of active CTPAT participants involved in one or more security incidents while maintaining their status as participants.

(4) Recommendations to the Commissioner of U.S. Customs and Border Protection for improvements to CTPAT to improve prevention of security incidents in the cargo supply chain involving participants in CTPAT.

SA 4847. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2022, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, \$90,532,000, of which—

(A) \$85,032,000, to remain available until September 30, 2023, shall be for Academy operations; and

(B) \$5,500,000, to remain available until expended, shall be for facilities maintenance and repair and equipment.

(2) For expenses necessary for operations, support, and training activities for the State maritime academies, \$50,780,000, of which—

(A) \$2,400,000, to remain available until September 30, 2026, shall be for the Student Incentive Program;

(B) \$6,000,000, to remain available until September 30, 2023, shall be for direct payments for State maritime academies;

(C) \$3,800,000, to remain available until expended, shall be for training ship fuel assistance;

(D) \$8,080,000, to remain available until expended, shall be for offsetting the costs of training ship sharing; and

(E) \$30,500,000, to remain available until expended, shall be for maintenance and repair, of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, \$315,600,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, \$81,853,000, of which—

(A) \$10,000,000, to remain available until expended, shall be for the Maritime Environmental and Technical Assistance program

authorized under section 50307 of title 46, United States Code;

(B) \$11,000,000, to remain available until expended, shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code; and

(C) \$60,853,000, to remain available until September 30, 2022, shall be for headquarters operations expenses.

(5) For expenses necessary for the disposal of vessels in the National Defense Reserve Fleet of the Maritime Administration, \$10,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States-flag merchant fleet to serve the national security needs of the United States, as authorized under chapter 531 of title 46, United States Code, \$318,000,000, which shall remain available until expended.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, \$33,000,000, of which—

(A) \$30,000,000, to remain available until expended, shall be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) \$3,000,000, to remain available until expended, may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide for the Tanker Security Fleet, as authorized under chapter 534 of title 46, United States Code, \$60,000,000, which shall remain available until expended.

(9) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, \$40,000,000, which shall remain available until expended.

(10) For expenses necessary to implement the Port and Intermodal Improvement Program, \$750,000,000, to remain available until expended, except that no such funds may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary determines such equipment would result in a net loss of jobs within a port of port terminal.

Subtitle B—Other Matters

SEC. 3511. EXPANDING THE MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

(a) MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.—From the amount appropriated under section 3501(1)(A), not more than 60 percent shall be reserved for activities related to technologies that support port and vessel air emissions reductions and to support zero emissions technologies, including identification of new fuel or other power sources.

(b) USES.—Section 50307 of title 46, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e) USES.—The results of activities conducted under subsection (b)(1) shall be used to inform the policy decisions of the United States related to domestic regulations and to the United States position on matters before the International Maritime Organization.”.

SEC. 3512. SUSTAINABLE PORT INFRASTRUCTURE.

(a) SHORT TITLE.—This section may be cited as the “Sustainable Port Infrastructure Act”.

(b) PORT DEVELOPMENT.—Section 50302(c) of title 46, United States Code, is amended—

(1) in paragraph (3)(A)(ii)—

(A) in subclause (II), by striking “or” after the semicolon; and

(B) by adding at the end the following:

“(IV) projects that improve the resiliency of ports to address sea-level rise, flooding, extreme weather events, including earthquakes, hurricanes and tsunami inundation, including projects for—

“(aa) port electrification or electrification master planning;

“(bb) harbor craft or equipment replacements/retrofits;

“(cc) development of port or terminal micro-grids;

“(dd) providing idling reduction infrastructure;

“(ee) purchase of cargo handling equipment and related infrastructure;

“(ff) worker training to support electrification technology;

“(gg) installation of port bunkering facilities from ocean-going vessels for fuels;

“(hh) electric vehicle charge or hydrogen refueling infrastructure for drayage, and medium or heavy duty trucks and locomotives that service the port and related grid upgrades; or

“(ii) other related to port activities including charging infrastructure, electric rubber-tired gantry cranes, and anti-idling technologies; or”;

(2) in paragraph (7)(B), by striking “18 percent” and inserting “25 percent”; and

(3) in paragraph (10)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) EFFICIENT USE OF NON-FEDERAL FUNDS.—

“(i) IN GENERAL.—Notwithstanding any other provision of law and subject to approval by the Secretary, in the case of any grant for a project under this section, during the period beginning on the date on which the grant recipient is selected and ending on the date on which the grant agreement is signed—

“(I) the grant recipient may obligate and expend non-Federal funds with respect to the project for which the grant is provided; and

“(II) any non-Federal funds obligated or expended in accordance with subclause (I) shall be credited toward the non-Federal cost share for the project for which the grant is provided.

“(ii) REQUIREMENTS.—

“(I) APPLICATION.—In order to obligate and expend non-Federal funds under clause (i), the grant recipient shall submit to the Secretary a request to obligate and expend non-Federal funds under that clause, including—

“(aa) a description of the activities the grant recipient intends to fund;

“(bb) a justification for advancing the activities described in item (aa), including an assessment of the effects to the project scope, schedule, and budget if the request is not approved; and

“(cc) the level of risk of the activities described in item (aa).

“(II) APPROVAL.—The Secretary shall approve or disapprove each request submitted under subclause (I).

“(III) COMPLIANCE WITH APPLICABLE REQUIREMENTS.—Any non-Federal funds obligated or expended under clause (i) shall comply with all applicable requirements, including any requirements included in the grant agreement.

“(iii) EFFECT.—The obligation or expenditure of any non-Federal funds in accordance with this subparagraph shall not—

“(I) affect the signing of a grant agreement or other applicable grant procedures with respect to the applicable grant;

“(II) create an obligation on the part of the Federal Government to repay any non-Federal funds if the grant agreement is not signed; or

“(III) affect the ability of the recipient of the grant to obligate or expend non-Federal funds to meet the non-Federal cost share for the project for which the grant is provided after the period described in clause (i).”.

SEC. 3513. ELIJAH CUMMINGS SHIP AMERICAN ACT.

(a) REPEAL IN MAP-21.—Section 100124 of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141) is repealed, and the provisions of law that were repealed or amended by that section are reenacted and amended, respectively, to read as if such section were not enacted.

(b) REPEAL IN BIPARTISAN BUDGET ACT OF 2013.—Section 602 of the Bipartisan Budget Act of 2013 (Public Law 113-67) is repealed, and the provisions of law that were repealed or amended by that section are reenacted and amended, respectively, to read as if such section were not enacted.

(c) TRANSPORTATION REQUIREMENTS FOR CERTAIN EXPORTS SPONSORED BY THE SECRETARY OF AGRICULTURE.—Subsection (a)(1) of section 55314 of title 46, United States Code, as reenacted by this section, is amended by striking “25 percent” and inserting “75 percent”.

(d) FINANCING THE TRANSPORTATION OF AGRICULTURAL COMMODITIES.—Section 55316(a) of title 46, United States Code, as reenacted by this section, is amended by inserting “or from the application of section 55305 of this title, requiring transportation on privately-owned commercial vessels of the United States for 100 percent of the gross tonnage of certain equipment, materials, or commodities” before the period.

(e) CARGOES PROCURED, FURNISHED, OR FINANCED BY THE UNITED STATES GOVERNMENT.—Section 55305(b) of title 46, United States Code, is amended by striking “50” and inserting “75”.

SEC. 3514. SENSE OF CONGRESS ON THE UNITED STATES MERCHANT MARINE.

It is the sense of Congress that the United States Merchant Marine is a critical part of the United States’ national infrastructure, and the men and women of the United States Merchant Marine are essential workers.

SEC. 3515. ENSURING DIVERSE MARINER RECRUITMENT.

Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall develop and deliver to Congress a strategy to assist State maritime academies and the United States Merchant Marine Academy to improve the representation of women and underrepresented communities in the next generation of the mariner workforce, including—

(1) Black or African American;

(2) Hispanic or Latino;

(3) Asian;

(4) American Indians, Alaska Native, or Native Hawaiians; or

(5) Pacific Islander.

SEC. 3516. MARITIME TECHNOLOGICAL ADVANCEMENT ACT OF 2021.

(a) SHORT TITLE.—This section may be cited as the “Maritime Technological Advancement Act of 2021”.

(b) CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE.—Section 51706 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “of Transportation”;

(2) in subsection (b), in the subsection heading, by striking “Assistance” and inserting “Cooperative Agreements”;

(3) by redesignating subsection (c) as subsection (d);

(4) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.”; and

(5) by inserting after subsection (b) the following:

“(c) GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Maritime Administration.

“(B) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means an institution that has a demonstrated record of success in training and is—

“(i) a postsecondary educational institution (as such term is defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that offers a 2-year program of study or a 1-year program of training;

“(ii) a postsecondary vocational institution, as defined under title 600.6 of title 34, Code of Federal Regulations, or similar successor regulation; or

“(iii) another structured experiential learning training program for American workers in the United States maritime industry, including a program offered by a labor organization or conducted in partnerships with a nonprofit organization or 1 or more employers in the maritime industry.

“(C) UNITED STATES MARITIME INDUSTRY.—The term ‘United States maritime industry’ means all segments of the maritime-related transportation system of the United States, both in domestic and foreign trade, and in coastal, offshore, and inland waters, as well as non-commercial maritime activities, such as pleasure boating and marine sciences (including all scientific research vessels), and all of the industries that support or depend upon such uses, including vessel construction and repair, vessel operations, ship logistics supply, berthing, port operations, port intermodal operations, marine terminal operations, vessel design, marine brokerage, marine insurance, marine financing, chartering, maritime-oriented supply chain operations, offshore industry, offshore wind, and maritime-oriented research and development.

“(2) GRANT AUTHORIZATION.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator may award maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for workers in the United States related to the maritime workforce.

“(B) GUIDELINES.—Not later than 1 year after the date of enactment of this section, the Administrator shall—

“(i) promulgate guidelines for the submission of grant proposals under this subsection; and

“(ii) publish and maintain such guidelines on the website of the Maritime Administration.

“(3) LIMITATIONS.—The Administrator may not award a grant under this subsection in an amount that is more than \$12,000,000.

“(4) REQUIRED INFORMATION.—

“(A) IN GENERAL.—An eligible institution that desires to receive a grant under this subsection shall submit to the Administrator a grant proposal that includes a detailed description of—

“(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career

training program that is suited to maritime industry workers;

“(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of maritime workers in the community served by the eligible institution, particularly any individuals with a barrier to employment;

“(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community; and

“(iv) a description of the previous experience of the eligible institution in providing maritime educational or career training programs.

“(B) COMMUNITY OUTREACH REQUIRED.—In order to be considered by the Administrator, a grant proposal submitted by an eligible institution under this subsection shall—

“(i) demonstrate that the eligible institution—

“(I) reached out to employers to identify—

“(aa) any shortcomings in existing maritime educational and career training opportunities available to workers in the community; and

“(bb) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

“(II) reached out to other similarly situated entities in an effort to benefit from any best practices that may be shared with respect to providing maritime educational or career training programs to workers eligible for training; and

“(ii) include a detailed description of—

“(I) the extent and outcome of the outreach conducted under clause (i);

“(II) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(I)(aa) or any maritime educational or career training needs identified under clause (i)(I)(bb); and

“(III) the extent to which employers, including small- and medium-sized firms within the community, have demonstrated a commitment to employing workers who would benefit from the project for which the grant proposal is submitted.

“(5) CRITERIA FOR AWARD OF GRANTS.—

“(A) IN GENERAL.—Subject to the appropriation of funds, the Administrator shall award a grant under this subsection based on—

“(i) a determination of the merits of the grant proposal submitted by the eligible institution to develop, offer, or improve maritime educational or career training programs to be made available to workers;

“(ii) an evaluation of the likely employment opportunities available to workers who complete a maritime educational or career training program that the eligible institution proposes to develop, offer, or improve;

“(iii) an evaluation of prior demand for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs;

“(iv) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education; and

“(v) an evaluation of the previous experience of the eligible institution in providing maritime educational or career training programs.

“(B) MATCHING REQUIREMENTS.—A grant awarded under this subsection may not be used to satisfy any private matching requirement under any other provision of law.

“(6) COMPETITIVE AWARDS.—

“(A) IN GENERAL.—The Administrator shall award grants under this subsection to eligible institutions on a competitive basis in accordance with guidelines and requirements established by the Administrator under paragraph (2)(B).

“(B) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of enactment of the appropriations Act for the fiscal year concerned.

“(C) TIMING OF GRANTS.—The Administrator shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

“(D) APPLICATION OF REQUIREMENTS.—The requirements under subparagraphs (B) and (C) shall not apply until the guidelines required under paragraph (2)(B) have been promulgated.

“(E) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Administrator for use for grants under this subsection.

“(F) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

“(7) ELIGIBLE USES OF GRANT FUNDS.—An eligible institution receiving a grant under this subsection—

“(A) shall carry out activities that are identified as priorities for the purpose of developing, offering, or improving educational or career training programs for the United States maritime industry workforce;

“(B) shall provide training to upgrade the skills of the United States maritime industry workforce, including training to acquire covered requirements as well as technical skills training for jobs in the United States maritime industry; and

“(C) may use the grant funds to—

“(i) admit additional students to maritime training programs;

“(ii) develop, establish, and annually update viable training capacity, courses and mechanisms to rapidly upgrade skills and perform assessments of merchant mariners during time of war or national emergency and to increase credentials for domestic or defense needs where training can decrease the gap in the numbers of qualified mariners for seafair;

“(iii) provide services to upgrade the skills of United States offshore wind marine service workers who transport, install, operate, or maintain offshore wind components and turbines, including training, curriculum, and career pathway development, on-the-job training, safety, and health training, and classroom training;

“(iv) expand existing or create new maritime training programs, including through partnerships and memoranda of understanding with 4-year institutions of higher education, labor organizations, apprenticeships with the United States maritime industry, or with 1 or more employers in the maritime industry;

“(v) create new maritime career pathways;

“(vi) expand existing or create new training programs for transitioning military veterans to careers in the United States maritime industry;

“(vii) expand existing or create new training programs that address the needs of individuals with a barrier to employment, as determined by the Secretary in consultation with the Secretary of Labor, in the United States maritime industry;

“(viii) purchase, construct, develop, expand, or improve training facilities, build-

ings, and equipment to deliver maritime training programs;

“(ix) recruit and train additional faculty to expand the maritime training programs offered by the eligible institution;

“(x) provide financial assistance through scholarships or tuition waivers, not to exceed the applicable tuition expenses associated with the covered programs;

“(xi) promote the use of distance learning that enables students to take courses through the use of teleconferencing, the Internet, and other media technology;

“(xii) assist in providing services to address maritime workforce recruitment and training of youth residing in targeted high-poverty areas within empowerment zones and enterprise communities;

“(xiii) implement partnerships with national and regional organizations with special expertise in developing, organizing, and administering maritime workforce recruitment and training services;

“(xiv) carry out customized training in conjunction with an existing registered apprenticeship program or pre-apprenticeship program, paid internship, or joint labor-management partnership;

“(xv) carry out customized training in conjunction with an existing registered apprenticeship program or pre-apprenticeship program, paid internship, or joint labor-management partnership;

“(xvi) design, develop, and test an array of approaches to providing recruitment, training, or retention services, to enhance diversity, equity and inclusion in the United States maritime industry workforce;

“(xvii) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

“(xviii) assist in the development and replication of effective service delivery strategies for the United States maritime industry as a whole.

“(8) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2023 through 2025, the Administrator shall make available on a publicly available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) describing each grant awarded under this subsection during the preceding fiscal year;

“(B) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training; and

“(C) describing the performance of the grant awarded with respect to the indicators of performance under section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)).

“(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$60,000,000 for each of the fiscal years 2022 through 2026.”

SEC. 3517. PREPARING THE MARITIME WORKFORCE FOR LOW AND ZERO EMISSION VESSELS.

(a) DEVELOPMENT OF STRATEGY.—The Secretary of Transportation, in consultation with the United States Merchant Marine Academy, State maritime academies, and civilian nautical schools and the Secretary of the department in which Coast Guard is operating, shall develop a strategy to ensure there is an adequate supply of trained United States citizen mariners sufficient to meet the operational requirements of low and zero emission vessels.

(b) REPORT.—Not later than 6 months after the date the Secretary of Transportation determines that there is commercially viable technology for low and zero emission vessels, the Secretary of Transportation shall—

(1) submit a report on the strategy developed under subsection (a) and plans for its implementation to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make such report publicly available.

SEC. 3518. NAVAL TECHNOLOGY TRANSFER FOR QUIETING FEDERAL NON-COMBATANT VESSELS.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Maritime Administration, and the Secretary of the department in which the Coast Guard is operating, shall, not later than 18 months after the date of enactment of this Act, submit a report to the committees identified under subsection (b) and publish an unclassified report—

(1) identifying existing, at the time of submission, non-classified naval technologies that reduce underwater noise; and

(2) evaluating the effectiveness and feasibility of incorporating such technologies in the design, procurement, and construction of non-combatant vessels of the United States.

(b) COMMITTEES.—The report under subsection (a) shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense for carrying out this section, \$100,000 for fiscal year 2022, to remain available until expended.

SEC. 3519. STUDY EXAMINING THE IMPACT OF STORMWATER RUNOFF AND TIRES NEAR PORTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall commence a study that—

(1) examines the existing science on tire-related chemicals in stormwater runoff at ports and associated transportation infrastructure and the impacts of such chemicals on Pacific salmon and steelhead;

(2) examines the challenges of studying tire-related chemicals in stormwater runoff at ports and associated transportation infrastructure and the impacts of such chemicals on Pacific salmon and steelhead;

(3) provides recommendations for improving monitoring of stormwater and research related to run-off for tire-related chemicals and the impacts of such chemicals on Pacific salmon and steelhead at ports and associated transportation infrastructure near ports; and

(4) provides recommendations based on the best available science on relevant management approaches at ports and associated transportation infrastructure under their respective jurisdictions.

(b) SUBMISSION OF STUDY.—Not later than 18 months after commencing the study under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of

Representatives, including detailing any findings from the study; and

(2) make such study publicly available.

SEC. 3520. STRATEGIC SEAPORTS.

Section 50302(c)(6) of title 46, United States Code, is amended by adding at the end the following:

“(C) INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.—In selecting projects described in paragraph (3) for funding under this subsection, the secretary shall consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1985) that would improve the commercial operations of those seaports.”.

SEC. 3521. IMPROVING PROTECTIONS FOR MIDSHPMEN ACT.

(a) SHORT TITLE.—This section may be cited as the “Improving Protections for Midshipmen Act”.

(b) SUSPENSION OR REVOCATION OF MERCHANT MARINER CREDENTIALS FOR PERPETRATORS OF SEXUAL HARASSMENT OR SEXUAL ASSAULT.—

(1) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

“SEC. 7704a. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION OR REVOCATION.

“(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner’s document shall be suspended or revoked.

“(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner’s document shall be revoked.

“(c) SUBSTANTIATED CLAIM.—

“(1) IN GENERAL.—The term ‘substantiated claim’ means—

“(A) a finding by any administrative or legal proceeding that the individual committed sexual harassment or sexual assault in violation of any Federal, State, local or Tribal law or regulation; or

“(B) a determination after an investigation by the Coast Guard that it is more likely than not the individual committed sexual harassment or sexual assault as defined in subsection (c).

“(2) INVESTIGATION BY THE COAST GUARD.—An investigation by the Coast Guard under paragraph (1)(B) shall include evaluation of the following materials that shall be provided to the Coast Guard:

“(A) Any inquiry or determination made by the employer as to whether the individual committed sexual harassment or sexual assault.

“(B) Upon request, from an employer or former employer of the individual, any investigative materials, documents, records, or files in its possession that are related to the claim of sexual harassment or sexual assault by the individual.

“(d) DEFINITIONS.—

“(1) SEXUAL HARASSMENT.—The term ‘sexual harassment’ means any of the following:

“(A) Conduct that—

“(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or

repeated offensive comments or gestures of a sexual nature when—

“(I) submission to such conduct is made either explicitly or implicitly a term or condition of a person’s job, pay, or career;

“(II) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person;

“(III) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive working environment; or

“(IV) conduct may have been by a person’s supervisor, a supervisor in another area, a co-worker, or another credentialed mariner; and

“(ii) is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

“(B) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a subordinate.

“(C) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any fellow employee of the complainant.

“(2) SEXUAL ASSAULT.—The term ‘sexual assault’ means any form of abuse or contact as defined in chapter 109A of title 18, United States Code.

“(e) REGULATIONS.—The Secretary of the department in which the Coast Guard is operating may issue further regulations as necessary to update the definitions in this section, consistent with descriptions of sexual harassment and sexual assault addressed in title 10 and title 18, United States Code, and any other relevant Federal laws, to implement subsection (a) of this section.”.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 77 of title 46, United States Code, is amended by inserting after the item relating to section 7704 the following:

“7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.”.

(c) SUPPORTING THE UNITED STATES MERCHANT MARINE ACADEMY.—

(1) IN GENERAL.—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“SEC. 51323. SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION INFORMATION MANAGEMENT SYSTEM.

“(a) INFORMATION MANAGEMENT SYSTEM.—

“(1) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall establish an information management system to track and maintain, in such a manner that patterns can be reasonably identified, information regarding claims and incidents involving cadets that are reportable pursuant to subsection (d) of section 51318 of this chapter.

“(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system shall include the following information, to the extent that information is available:

“(A) The overall number of sexual assault or sexual harassment incidents per fiscal year.

“(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

“(C) The names and ranks of the individuals involved in each such incident.

“(D) The general nature of each such incident, to include copies of any associated reports completed on the incidents.

“(E) The type of inquiry made into each such incident.

“(F) A determination as to whether each such incident is substantiated.

“(G) Any informal and formal accountability measures taken for misconduct related to the incident, including decisions on whether to prosecute the case.

“(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

“(4) PRIVACY PROTECTIONS.—The Maritime Administrator and the Department of Transportation Chief Information Officer shall coordinate to ensure that the information management system under this section shall be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system.

“(5) CYBERSECURITY AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(b) SEA YEAR PROGRAM.—The Maritime Administrator shall provide for the establishment of in-person and virtual confidential exit interviews, to be conducted by personnel who are not involved in the assignment of the midshipmen to a Sea Year vessel, for midshipmen from the Academy upon completion of Sea Year and following completion by the midshipmen of the survey under section 51322(d).

“SEC. 51324. STUDENT ADVISORY BOARD AT THE UNITED STATES MERCHANT MARINE ACADEMY.

“(a) IN GENERAL.—The Administrator of the Maritime Administration shall establish at the United States Merchant Marine Academy an advisory board to be known as the Advisory Board to the Secretary of Transportation (referred to in this section as the ‘Advisory Board’).

“(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

“(c) APPOINTMENT; TERM.—Midshipmen shall serve on the Advisory Board pursuant to appointment by the Administrator of the Maritime Administration. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. The term of membership of a midshipmen on the Advisory Board shall be 1 academic year.

“(d) REAPPOINTMENT.—The Administrator of the Maritime Administration may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

“(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation at least once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person with the Administrator of the Maritime Administration not less than 2 times each academic year to discuss the activities of the Advisory Board.

“(f) DUTIES.—The Advisory Board shall—

“(1) identify health and wellbeing, diversity, and sexual assault and harassment challenges and other topics considered important by the Advisory Board facing midshipmen both at the Merchant Marine Academy, off campus, and while aboard ships during Sea Year or other training opportunities;

“(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

“(3) periodically, review the efficacy of the program in section 51323(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

“(g) WORKING GROUPS.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups composed in part of midshipmen at the Merchant Marine Academy who are not current members of the Advisory Board.

“(h) REPORTS AND BRIEFINGS.—The Advisory Board shall regularly provide the Secretary of Transportation and the Administrator of the Maritime Administration reports and briefings on the results of its duties, including recommendations for actions to be taken in light of such results. Such reports and briefings may be provided in writing, in person, or both.

“SEC. 51325. SEXUAL ASSAULT ADVISORY COUNCIL.

“(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Sexual Assault Advisory Council (in this section referred to as the ‘Council’).

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the Secretary of Transportation who are alumni that have graduated within the last 4 years or current midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who were victims of sexual assault and midshipmen or alumni who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field.

“(2) EXPERTS INCLUDED.—The Council shall include—

“(A) not less than 1 member who is licensed in the field of mental health and has prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization; and

“(B) not less than 1 member who has prior experience developing or implementing sexual assault or sexual assault prevention and response policies in an academic setting.

“(3) RULES REGARDING MEMBERSHIP.—No employee of the Department of Transportation shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

“(c) DUTIES; AUTHORIZED ACTIVITIES.—

“(1) IN GENERAL.—The Council shall meet not less often than semi-annually to—

“(A) review—

“(i) the policies on sexual harassment, dating violence, domestic violence, sexual assault, and stalking under section 51318 of this title; and

“(ii) related matters the Council views as appropriate; and

“(B) develop recommendations designed to ensure that such policies and such matters conform, to the extent practicable, to best practices in the field of sexual assault and sexual harassment response and prevention.

“(2) AUTHORIZED ACTIVITIES.—To carry out this subsection, the Council may—

“(A) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

“(B) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation express consent to be interviewed by the Council); and

“(C) review—

“(i) exit interviews under section 51323(b) and surveys under section 51322(d);

“(ii) data collected from restricted reporting; and

“(iii) any other information necessary to conduct such case reviews.

“(3) PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this subsection, the Council shall comply with the obligations of the Department of Transportation to protect personally identifiable information.

“(d) REPORTS.—On an annual basis for each of the 5 years after the date of enactment of this section, and at the discretion of the Council thereafter, the Council shall submit, to the President and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the Council’s findings based on the reviews conducted pursuant to subsection (c) and related recommendations.

“(e) EMPLOYEE STATUS.—Members of the Council shall not be considered employees of the United States Government for any purpose and shall not receive compensation other than reimbursement of travel expenses and per diem allowance in accordance with section 5703 of title 5.

“(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

“SEC. 51326. DIVERSITY AND INCLUSION ACTION PLAN.

“(a) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall issue a Diversity and Inclusion Action Plan for the United States Merchant Marine Academy (referred to in this section as the ‘Plan’) and make the Plan publicly available.

“(b) CONTENTS OF DIVERSITY AND INCLUSION ACTION PLAN; SURVEYS.—

“(1) IN GENERAL.—The Plan shall—

“(A) contain a description of how the United States Merchant Marine Academy will increase recruiting efforts in historically underrepresented communities, including through partnerships with historically Black colleges and universities and maritime centers of excellence designated under section 51706;

“(B) develop and make available resources to—

“(i) establish responsibilities for midshipmen, faculty, and staff of the Academy with respect to diversity and inclusion;

“(ii) create standards of—

“(I) training that require interpersonal dialogue on diversity and inclusion;

“(II) setting behavioral boundaries with others; and

“(III) specific processes for the reporting and documentation of misconduct related to hazing, bullying, hate, and harassment;

“(iii) hold leaders and other individuals at the Academy accountable for violations of such standards;

“(iv) equip midshipmen, faculty, and staff of the Academy with the resources and materials to promote a diverse and inclusive working environment; and

“(v) address how concepts of diversity and inclusion can be integrated into the curriculum and training of the Academy.

“(2) SURVEYS.—The Maritime Administrator shall—

“(A) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing—

“(i) the inclusiveness of the environment of the Academy; and

“(ii) the effectiveness of the Plan; and

“(B) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.”.

(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a briefing on the resources necessary to properly implement this section.

(3) CONFORMING AMENDMENTS.—The chapter analysis for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“51323. Sexual assault and sexual harassment prevention information management system.

“51324. Student advisory board at the United States Merchant Marine Academy.

“51325. Sexual assault advisory council.

“51326. Diversity and inclusion action plan.”.

(4) UNITED STATES MERCHANT MARINE ACADEMY STUDENT SUPPORT PLAN.—

(A) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

(i) address the mental health resources available to midshipmen, both on-campus and during Sea Year;

(ii) establish a tracking system for suicidal ideations and suicide attempts of midshipmen;

(iii) create an option for midshipmen to obtain assistance from a professional care provider virtually; and

(iv) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

(B) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this Act, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this paragraph.

(d) SPECIAL VICTIMS ADVISOR.—Section 51319 of title 46, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) SPECIAL VICTIMS ADVISOR.—

“(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the ‘Special Victims Advisor’) for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

“(2) SPECIAL VICTIMS ADVISORY.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of Uniform Code of Military Justice procedures, as well as criminal and civil law.

“(3) PRIVILEGED COMMUNICATIONS.—Any communications between a victim of an alleged sex-related offense and the Special Victim Advisor, when acting in their capacity as such, shall have the same protection that applicable law provides for confidential attorney-client communications.”; and

(3) by adding at the end the following:

“(e) UNFILLED VACANCIES.—The Administrator of the Maritime Administration may appoint qualified candidates to positions under subsection (a) and (c) of this section without regard to sections 3309 through 3319 of title 5, United States Code.”.

(e) CATCH A SERIAL OFFENDER ASSESSMENT.—

(1) ASSESSMENT.—Not later than one year after the date of enactment of this Act, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine modeled on the Catch a Serial Offender program of the Department of Defense using the information management system required under subsection (a) of section 51323 of title 46, United States Code, and the exit interviews under subsection (b) of such section.

(2) LEGISLATIVE CHANGE PROPOSALS.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines they need additional authority to implement the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

(f) SHIPBOARD TRAINING.—Section 51322(a) of title 46, United States Code, is amended by adding at the end the following:

“(3) TRAINING.—

“(A) IN GENERAL.—As part of training that shall be provided not less than semi-annually to all midshipmen of the Academy, pursuant to section 51318, the Maritime Administrator shall develop and implement comprehensive in-person sexual assault risk-reduction and response training that, to the extent practicable, conforms to best practices in the sexual assault prevention and response field and includes appropriate scenario-based training.

“(B) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.”.

SA 4848. Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PROMOTING PRIVACY ENHANCING TECHNOLOGIES.

(a) DEFINITION OF PRIVACY ENHANCING TECHNOLOGY.—In this section the term “privacy enhancing technology” means any software solution, technical processes, or other technological means of protecting an individual’s privacy and the confidentiality of data, which may include—

(1) anonymization and pseudonymization techniques, filtering tools, anti-tracking technology, differential privacy tools, synthetic data generation tools, cryptographic techniques (such as secure multi-party computation and homomorphic encryption), and systems for federated learning; and

(2) any other software solution, technical processes, or other technological means that the Director of the National Science Foundation, in consultation with the Director of the National Institute of Standards and Technology outside experts, determines to be a technology that enhances privacy.

(b) NATIONAL SCIENCE FOUNDATION SUPPORT OF RESEARCH ON PRIVACY ENHANCING TECHNOLOGY.—The Director of the National Science Foundation, in consultation with other relevant Federal agencies (as determined by the Director), shall support merit-reviewed and competitively awarded research on privacy enhancing technologies, which may include—

(1) fundamental research on technologies for de-identification, pseudonymization, anonymization, or obfuscation to protect individuals’ privacy in data sets;

(2) fundamental research on algorithms, machine learning, and other similar mathematical tools used to protect individual privacy when collecting, storing, sharing, aggregating, or analyzing data;

(3) fundamental research on technologies that promote data minimization principles in data collection, sharing, transfers, retention, and analytics;

(4) research awards on privacy enhancing technologies coordinated with other relevant Federal agencies and programs;

(5) research on barriers to, and opportunities for, the adoption of privacy enhancing technologies, including studies on effective business models for privacy enhancing technologies; and

(6) international cooperative research, awards, challenges, and pilot projects on privacy enhancing technologies with key United States allies and partners.

(c) INTEGRATION INTO THE COMPUTER AND NETWORK SECURITY PROGRAM.—Subparagraph (D) of section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)(D)) is amended to read as follows:

“(D) privacy enhancing technologies and confidentiality.”.

(d) COORDINATION WITH THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY AND OTHER STAKEHOLDERS.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, acting through the Networking and Information Technology Research and Development Program, shall coordinate with the Director of the National Science Foundation, the Director of the National Institute of Standards and Technology, and the Federal Trade Commission to accelerate the development and use of privacy enhancing technologies.

(2) OUTREACH.—The Director of the National Institute of Standards and Technology shall conduct outreach to—

(A) receive input from private, public, and academic stakeholders on the development and potential uses of privacy enhancing technologies, including the National Institutes of Health and the Centers for Disease Control and Prevention regarding specific applications in public health research; and

(B) develop ongoing public and private sector engagement to create and disseminate voluntary, consensus-based resources to increase the integration of privacy enhancing technologies in data collection, sharing, transfers, retention, and analytics by the public and private sectors.

(e) REPORT ON PRIVACY ENHANCING TECHNOLOGY RESEARCH.—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, acting through the Networking and Information Technology Research and Development Program, shall, in coordination with the Director of the National Science Foundation, the Director of the National Institute of Standards and

Technology, and the Chair of the Federal Trade Commission, submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives, a report containing—

(1) the progress of research on privacy enhancing technologies;

(2) the progress of the development of voluntary resources described under subsection (d)(2)(B); and

(3) any policy recommendations that could facilitate and improve communication and coordination between the private sector, the National Science Foundation, and relevant Federal agencies through the implementation of privacy enhancing technologies.

SA 4849. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 511, beginning in subsection (d)(4), strike the period at the end of subparagraph (B)(ii) and all that follows through subsection (g) and insert the following: “; and

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

“(p) No person may be inducted for training and service under this title if such person—

“(1) has a dependent child and the other parent of the dependent child has been inducted for training or service under this title unless the person volunteers for such induction; or

“(2) has a dependent child who has no other living parent.”.

(5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is amended by striking “the President is requested” and all that follows through “race or national origin” and inserting “the President is requested to appoint the membership of each local board so that each board has both male and female members and, to the maximum extent practicable, it is proportionately representative of those registrants within its jurisdiction in each applicable basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a)), but no action by any board shall be declared invalid on the ground that such board failed to conform to such representation quota”.

(6) Section 16(a) (50 U.S.C. 3814(a)) is amended by striking “men” and inserting “persons”.

(e) **MAINTAINING THE HEALTH OF THE SELECTIVE SERVICE SYSTEM.**—Section 10(a) (50 U.S.C. 3809(a)) is amended by adding at the end the following new paragraph:

“(5) The Selective Service System shall conduct exercises periodically of all mobilization plans, systems, and processes to evaluate and test the effectiveness of such plans, systems, and processes. Once every 4 years, the exercise shall include the full range of internal and interagency procedures to ensure functionality and interoperability and may take place as part of the Department of Defense mobilization exercise under section 10208 of title 10, United States Code. The Selective Service System shall conduct a public awareness campaign in conjunction with each exercise to communicate the purpose of the exercise to the public.”.

(f) **TECHNICAL AND CONFORMING AMENDMENTS.**—The Military Selective Service Act is amended—

(1) in section 4 (50 U.S.C. 3803)—

(A) in subsection (a) in the third undesignated paragraph—

(i) by striking “his acceptability in all respects, including his” and inserting “such person’s acceptability in all respects, including such person’s”; and

(ii) by striking “he may prescribe” and inserting “the President may prescribe”;

(B) in subsection (c)—

(i) in paragraph (2), by striking “any enlisted member” and inserting “any person who is an enlisted member”; and

(ii) in paragraphs (3), (4), and (5), by striking “in which he resides” and inserting “in which such person resides”;

(C) in subsection (g), by striking “coordinate with him” and inserting “coordinate with the Director”; and

(D) in subsection (k)(1), by striking “finding by him” and inserting “finding by the President”;

(2) in section 5(d) (50 U.S.C. 3805(d)), by striking “he may prescribe” and inserting “the President may prescribe”;

(3) in section 6 (50 U.S.C. 3806)—

(A) in subsection (c)(2)(D), by striking “he may prescribe” and inserting “the President may prescribe”;

(B) in subsection (d)(3), by striking “he may deem appropriate” and inserting “the President considers appropriate”; and

(C) in subsection (h), by striking “he may prescribe” each place it appears and inserting “the President may prescribe”;

(4) in section 10 (50 U.S.C. 3809)—

(A) in subsection (b)—

(i) in paragraph (3)—

(I) by striking “He shall create” and inserting “The President shall create”; and

(II) by striking “upon his own motion” and inserting “upon the President’s own motion”;

(ii) in paragraph (4), by striking “his status” and inserting “such individual’s status”; and

(iii) in paragraphs (4), (6), (8), and (9), by striking “he may deem” each place it appears and inserting “the President considers”; and

(B) in subsection (c), by striking “vested in him” and inserting “vested in the President”;

(5) in section 13(b) (50 U.S.C. 3812(b)), by striking “regulation if he” and inserting “regulation if the President”;

(6) in section 15 (50 U.S.C. 3813)—

(A) in subsection (b), by striking “his” each place it appears and inserting “the registrant’s”; and

(B) in subsection (d), by striking “he may deem” and inserting “the President considers”;

(7) in section 16(g) (50 U.S.C. 3814(g))—

(A) in paragraph (1), by striking “who as his regular and customary vocation” and inserting “who, as such person’s regular and customary vocation,”; and

(B) in paragraph (2)—

(i) by striking “one who as his customary vocation” and inserting “a person who, as such person’s customary vocation,”; and

(ii) by striking “he is a member” and inserting “such person is a member”;

(8) in section 18(a) (50 U.S.C. 3816(a)), by striking “he is authorized” and inserting “the President is authorized”;

(9) in section 21 (50 U.S.C. 3819)—

(A) by striking “he is sooner” and inserting “sooner”;

(B) by striking “he” each subsequent place it appears and inserting “such member”; and

(C) by striking “his consent” and inserting “such member’s consent”;

(10) in section 22(b) (50 U.S.C. 3820(b)), in paragraphs (1) and (2), by striking “his” each place it appears and inserting “the registrant’s”; and

(11) except as otherwise provided in this section—

(A) by striking “he” each place it appears and inserting “such person”;

(B) by striking “his” each place it appears and inserting “such person’s”;

(C) by striking “him” each place it appears and inserting “such person”;

(D) by striking “present himself” each place it appears in section 12 (50 U.S.C. 3811) and inserting “appear”.

(g) **ENACTMENT OF AUTHORIZATION REQUIRED FOR DRAFT.**—

(1) **AMENDMENT.**—Section 17 of the Military Selective Service Act (50 U.S.C. 3815) is amended by adding at the end the following new subsection:

“(d) No person shall be inducted for training and service in the Armed Forces unless Congress first passes and there is enacted a law expressly authorizing such induction into service.”.

(h) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act, except that the amendments made by subsections (d) and (g) shall take effect 1 year after such date of enactment.

SA 4850. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXTENSION OF FUND.

(a) **IN GENERAL.**—Section 3(d) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended—

(1) by striking the first sentence and inserting “The Fund shall terminate 2 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2022.”; and

(2) by striking “22-year” and inserting “2-year”.

(b) **TRANSFER OF AMOUNTS.**—Section 3 of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by adding at the end the following:

“(f) **TRANSFER OF AMOUNTS.**—Notwithstanding any limitations on the use of amounts described in section 524(c) of title 28, United States Code, during the 2-year period described in subsection (d), the Attorney General shall transfer such amounts as are necessary to carry out disbursements under this Act from the Department of Justice Assets Forfeiture Fund established under such section 524(c) to the Fund.”.

(c) **AFFECTED AREAS.**—Section 4 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note; Public Law 101–426) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) in subclause (II), by striking “; or” and inserting a semicolon;

(bb) by redesignating subclause (III) as subclause (IV); and

(cc) by inserting after subclause (II) the following:

“(III) was physically present in the affected area described in subsection (b)(1)(D) for the period beginning on July 16, 1945, and ending on August 16, 1945; or”;

(II) in clause (i)(I), by striking “physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)” and inserting “physical presence described in subclause (I), (II), or (III) of clause (i) or onsite participation described in clause (i)(IV)”;

(i) in subparagraph (B)—

(I) in clause (i), by striking “subclause (I) or (II) of subparagraph (A)(i)” and inserting “subclause (I), (II), or (III) of subparagraph (A)(i)”;

(II) in clause (ii), by striking “subclause (III)” and inserting “subclause (IV)”;

(B) in paragraph (2)—

(i) in subparagraph (B), by striking “, or” and inserting a comma;

(ii) by redesignating subparagraph (C) as subparagraph (D);

(iii) by inserting after subparagraph (B) the following:

“(C) was physically present in the affected area described in subsection (b)(1)(D) for the period beginning on July 16, 1945, and ending on August 16, 1945, or”;

(iv) in the matter following subparagraph (D), as so redesignated, by striking “subparagraph (A) or (B)” and all that follows through “subparagraph (C)” and inserting “subparagraph (A), (B), or (C)) or \$75,000 (in the case of an individual described in subparagraph (D))”;

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “in the State” and all that follows through “Piute” and inserting “the State of Utah”;

(B) in subparagraph (B), by striking “; and” and inserting a semicolon;

(C) by adding at the end the following:

“(D) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or subsection (a)(2)(C), only the counties of Bernalillo, Chaves, Guadalupe, Lincoln, Sandoval, San Miguel, Santa Fe, Socorro, Torrance, and Valencia in the State of New Mexico; and”.

SA 4851. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. 744. PROHIBITION ON COVID-19 VACCINATION REQUIREMENTS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1110b the following new section: “§ 1110c. Prohibition on COVID-19 vaccination requirement

“(a) IN GENERAL.—The Secretary of Defense may not require any member of an Armed Force to receive a vaccine with respect to the Coronavirus Disease 2019 (COVID-19).

“(b) MEMBER OF AN ARMED FORCE DEFINED.—In this section the term ‘member of an Armed Force’ means a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Space Force, including any member of a reserve component thereof on active service or active status.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of

such title is amended by inserting after the item relating to section 1110b the following new item:

“1110c. Prohibition on COVID-19 vaccination requirement.”.

SA 4852. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 106. FEDERAL PERMITTING IMPROVEMENT.

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended, in the matter preceding clause (i), by inserting “semiconductors, artificial intelligence and machine learning, high-performance computing and advanced computer hardware and software, quantum information science and technology, data storage and data management, cybersecurity,” after “manufacturing,”.

SA 4853. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 106. FEDERAL PERMITTING IMPROVEMENT.

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended—

(1) in the matter preceding clause (i), by inserting “semiconductors, artificial intelligence and machine learning, high-performance computing and advanced computer hardware and software, quantum information science and technology, data storage and data management, cybersecurity,” after “manufacturing,”;

(2) in clause (iii)(III), by striking “or” at the end;

(3) in clause (iv)(II), by striking the period at the end and inserting “; or”;

(4) by adding at the end the following:

“(v)(I) is of substantial national importance and complexity, as determined by a majority vote of the Council; and

“(II)(aa) is subject to NEPA;

“(bb) requires the preparation of an environmental document; or

“(cc) requires an authorization or environmental review that involves 2 or more agencies.”.

SA 4854. Mr. TUBERVILLE (for himself, Mr. MANCHIN, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the

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

At the end of subtitle C of title XIV, insert the following:

SEC. 1424. ENSURING THE CONSIDERATION OF TITANIUM IN SUPPLY CHAIN REVIEWS AND NATIONAL DEFENSE STOCKPILE REPORTS.

(a) CONSIDERATION IN REPORT ON NATIONAL DEFENSE STOCKPILE.—The Secretary of Defense shall include, in the first report submitted under section 14 of the Strategic and Critical Materials Stock Piling Act (10 U.S.C. 98h-5) after the date of the enactment of this Act, the following:

(1) A material summary evaluating titanium, including in ore and metal forms.

(2) An assessment of the current state of United States domestic titanium ore production and domestic production of titanium metal.

(3) A discussion of the implications of the current state of such domestic production for Department of Defense needs.

(b) FOLLOW-ON REPORT ON NATIONAL SECURITY IMPLICATIONS OF IMPORTS.—Not later than June 1, 2022, the Secretary of Commerce, acting through the Under Secretary of Commerce for Industry and Security, shall submit to Congress a follow-on report to the report of the Department of Commerce entitled “The Effect of Imports of Titanium Sponge on the National Security” and dated November 29, 2019, that includes the following:

(1) A summary of any changes in the domestic titanium industry and global titanium sponge industry that may have occurred since the issuance of the report.

(2) A summary of factors that contributed to further reliance on imports or reductions in domestic production of titanium since the issuance of the report.

(3) Any updates to the findings and conclusions of the report as a result of the updated information summarized pursuant to paragraph (1) and (2).

SA 4855. Ms. DUCKWORTH (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1224. ASSESSMENT OF THE COUNTER-UNMANNED AERIAL SYSTEMS (UAS) CAPABILITY OF PARTNER FORCES IN IRAQ.

(a) IN GENERAL.—Not later than March 1, 2022, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives an assessment of—

(1) the current state of counter-UAS capability of partner forces in Iraq, including in the Iraqi Kurdistan Region; and

(2) its implications for the security of United States and partner forces in the region against UAS attack.

(b) ELEMENTS.—The assessment required by subsection (a) shall include descriptions of—

(1) the current level of counter-UAS training and equipment available to partner forces in Iraq, including in the Iraqi Kurdistan Region;

(2) the type of additional training and equipment needed to maximize the level of counter-UAS capability of partner forces in Iraq, including in the Iraqi Kurdistan Region;

(3) the availability of additional training and equipment required to maximize partner forces' counter-UAS capability;

(4) an assessment of the current and anticipated threat from UAS systems to Iraqi and coalition security forces to determine the appropriate level of requirements for counter-UAS systems and training; and

(5) any other matters the Secretary of Defense determines appropriate.

SA 4856. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1054. JOINT DEPARTMENT OF DEFENSE AND DEPARTMENT OF AGRICULTURE STUDY ON CHINESE MILITARY AND CHINESE COMMUNIST PARTY INFLUENCE IN THE UNITED STATES AGRICULTURAL SUPPLY CHAIN.

(a) STUDY.—The Secretary of Defense, in coordination with the Secretary of Agriculture, shall carry out a study regarding the influence of the Chinese Communist Party and the People's Liberation Army on the United States agricultural supply chain. The study shall evaluate the influence of the Chinese Communist Party and People's Liberation Army on the importation and United States domestic production of critical components used for animal feed and animal nutrition.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Agriculture, shall submit to the congressional defense committees, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Agriculture of the House of Representatives a report on the results of the study conducted under subsection (a).

SA 4857. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 6456, add the following:

(c) IMPROVEMENTS TO CHIPS.—Section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) CONDITIONS OF RECEIPT.—

“(1) REQUIRED AGREEMENT.—A covered entity to which the Secretary awards Federal financial assistance under this section shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance—

“(A) the covered entity will not—

“(i) repurchase an equity security that is listed on a national securities exchange of the covered entity or any parent company of the covered entity, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this subsection;

“(ii) outsource or offshore jobs to a location outside of the United States; or

“(iii) abrogate existing collective bargaining agreements; and

“(B) the covered entity will remain neutral in any union organizing effort.

“(2) FINANCIAL PROTECTION OF GOVERNMENT.—

“(A) IN GENERAL.—The Secretary may not award Federal financial assistance to a covered entity under this section, unless—

“(i) (I) the covered entity has issued securities that are traded on a national securities exchange; and

“(II) the Secretary of the Treasury receives a warrant or equity interest in the covered entity; or

“(ii) in the case of any covered entity other than a covered entity described in clause (i), the Secretary of the Treasury receives, in the discretion of the Secretary of the Treasury—

“(I) a warrant or equity interest in the covered entity; or

“(II) a senior debt instrument issued by the covered entity.

“(B) TERMS AND CONDITIONS.—The terms and conditions of any warrant, equity interest, or senior debt instrument received under subparagraph (A) shall be set by the Secretary and shall meet the following requirements:

“(i) PURPOSES.—Such terms and conditions shall be designed to provide for a reasonable participation by the Secretary of Commerce, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.

“(ii) AUTHORITY TO SELL, EXERCISE, OR SURRENDER.—For the primary benefit of taxpayers, the Secretary may sell, exercise, or surrender a warrant or any senior debt instrument received under this subparagraph. The Secretary shall not exercise voting power with respect to any shares of common stock acquired under this subparagraph.

“(iii) SUFFICIENCY.—If the Secretary determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this subparagraph, the Secretary may accept a senior debt instrument in an amount and on such terms as the Secretary determines appropriate.”.

SA 4858. Mr. TOOMEY (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Iran Sanctions

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Masih Alinejad Harassment and Unlawful Targeting Act of 2021” or the “Masih Alinejad HUNT Act”.

SEC. 1292. FINDINGS.

Congress finds that the Government of the Islamic Republic of Iran surveils, harasses, terrorizes, tortures, abducts, and murders individuals who peacefully defend human rights and freedoms in Iran, and innocent entities and individuals considered by the Government of Iran to be enemies of that regime, including United States citizens on United States soil, and takes foreign nationals hostage, including in the following instances:

(1) In 2021, Iranian intelligence agents were indicted for plotting to kidnap United States citizen, women's rights activist, and journalist Masih Alinejad, from her home in New York City, in retaliation for exercising her rights under the First Amendment to the Constitution of the United States. Iranian agents allegedly spent at least approximately half a million dollars to capture the outspoken critic of the authoritarianism of the Government of Iran, and studied evacuating her by military-style speedboats to Venezuela before rendition to Iran.

(2) Prior to the New York kidnapping plot, Ms. Alinejad's family in Iran was instructed by authorities to lure Ms. Alinejad to Turkey. In an attempt to intimidate her into silence, the Government of Iran arrested 3 of Ms. Alinejad's family members in 2019, and sentenced her brother to 8 years in prison for refusing to denounce her.

(3) According to Federal prosecutors, the same Iranian intelligence network that allegedly plotted to kidnap Ms. Alinejad is also targeting critics of the Government of Iran who live in Canada, the United Kingdom, and the United Arab Emirates.

(4) In 2021, an Iranian diplomat was convicted in Belgium of attempting to carry out a 2018 bombing of a dissident rally in France.

(5) In 2021, a Danish high court found a Norwegian citizen of Iranian descent guilty of illegal espionage and complicity in a failed plot to kill an Iranian Arab dissident figure in Denmark.

(6) In 2021, the British Broadcasting Corporation (BBC) appealed to the United Nations to protect BBC Persian employees in London who suffer regular harassment and threats of kidnapping by Iranian government agents.

(7) In 2021, 15 militants allegedly working on behalf of the Government of Iran were arrested in Ethiopia for plotting to attack citizens of Israel, the United States, and the United Arab Emirates, according to United States officials.

(8) In 2020, Iranian agents allegedly kidnapped United States resident and Iranian-German journalist Jamshid Sharmahd, while he was traveling to India through Dubai. Iranian authorities announced they had seized Mr. Sharmahd in “a complex operation”, and paraded him blindfolded on state television. Mr. Sharmahd is arbitrarily detained in Iran, allegedly facing the death penalty. In 2009, Mr. Sharmahd was the target of an alleged Iran-directed assassination plot in Glendora, California.

(9) In 2020, the Government of Turkey released counterterrorism files exposing how Iranian authorities allegedly collaborated with drug gangs to kidnap Habib Chabi, an Iranian-Swedish activist for Iran's Arab minority. In 2020, the Government of Iran allegedly lured Mr. Chabi to Istanbul through a female agent posing as a potential lover. Mr. Chabi was then allegedly kidnapped from

Istanbul, and smuggled into Iran where he faces execution, following a sham trial.

(10) In 2020, a United States-Iranian citizen and an Iranian resident of California pleaded guilty to charges of acting as illegal agents of the Government of Iran by surveilling Jewish student facilities, including the Hillel Center and Rohr Chabad Center at the University of Chicago, in addition to surveilling and collecting identifying information about United States citizens and nationals who are critical of the Iranian regime.

(11) In 2019, 2 Iranian intelligence officers at the Iranian consulate in Turkey allegedly orchestrated the assassination of Iranian dissident journalist Masoud Molavi Vardanjani, who was shot while walking with a friend in Istanbul. Unbeknownst to Mr. Molavi, his “friend” was in fact an undercover Iranian agent and the leader of the killing squad, according to a Turkish police report.

(12) In 2019, around 1,500 people were allegedly killed amid a less than 2 week crackdown by security forces on anti-government protests across Iran, including at least an alleged 23 children and 400 women.

(13) In 2019, Iranian operatives allegedly lured Paris-based Iranian journalist Ruhollah Zam to Iraq, where he was abducted, and hanged in Iran for sedition.

(14) In 2019, a Kurdistan regional court convicted an Iranian female for trying to lure Voice of America reporter Ali Javanmardi to a hotel room in Irbil, as part of a foiled Iranian intelligence plot to kidnap and extradite Mr. Javanmardi, a critic of the Government of Iran.

(15) In 2019, Federal Bureau of Investigation agents visited the rural Connecticut home of Iran-born United States author and poet Roya Hakakian to warn her that she was the target of an assassination plot orchestrated by the Government of Iran.

(16) In 2019, the Government of Denmark accused the Government of Iran of directing the assassination of Iranian Arab activist Ahmad Mola Nissi, in The Hague, and the assassination of another opposition figure, Reza Kolahi Samadi, who was murdered near Amsterdam in 2015.

(17) In 2018, German security forces searched for 10 alleged spies who were working for Iran’s al-Quds Force to collect information on targets related to the local Jewish community, including kindergartens.

(18) In 2017, Germany convicted a Pakistani man for working as an Iranian agent to spy on targets including a former German lawmaker and a French-Israeli economics professor.

(19) In 2012, an Iranian American pleaded guilty to conspiring with members of the Iranian military to bomb a popular Washington, D.C., restaurant with the aim of assassinating the ambassador of Saudi Arabia to the United States.

(20) In 1996, agents of the Government of Iran allegedly assassinated 5 Iranian dissident exiles across Turkey, Pakistan, and Baghdad, over a 5-month period that year.

(21) In 1992, the Foreign and Commonwealth Office of the United Kingdom expelled 2 Iranians employed at the Iranian Embassy in London and a third Iranian on a student visa amid allegations they were plotting to kill Indian-born British American novelist Salman Rushdie, pursuant to the fatwa issued by then supreme leader of Iran, Ayatollah Ruhollah Khomeini.

(22) In 1992, 4 Iranian Kurdish dissidents were assassinated at a restaurant in Berlin, Germany, allegedly by Iranian agents.

(23) In 1992, singer, actor, poet, and gay Iranian dissident Fereydoun Farrokhzad was found dead with multiple stab wounds in his apartment in Germany. His death is allegedly the work of Iran-directed agents.

(24) In 1980, Ali Akbar Tabatabaei, a leading critic of Iran and then president of the Iran Freedom Foundation, was murdered in front of his Bethesda, Maryland, home by an assassin disguised as a postal courier. The Federal Bureau of Investigation had identified the “mailman” as Dawud Salahuddin, born David Theodore Belfield. Mr. Salahuddin was working as a security guard at an Iranian interest office in Washington, D.C., when he claims he accepted the assignment and payment of \$5,000 from the Government of Iran to kill Mr. Tabatabaei.

(25) Other exiled Iranian dissidents alleged to have been victims of the Government of Iran’s murderous extraterritorial campaign include Shahriar Sfat, Shapour Bakhtiar, and Gholam Ali Oveissi.

(26) Iranian Americans face an ongoing campaign of intimidation both in the virtual and physical world by agents and affiliates of the Government of Iran, which aims to stifle freedom of expression and eliminate the threat Iranian authorities believe democracy, justice, and gender equality pose to their rule.

SEC. 1293. DEFINITIONS.

In this subtitle:

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

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

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

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

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

(4) **FOREIGN FINANCIAL INSTITUTION.**—The term “foreign financial institution” has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(5) **FOREIGN PERSON.**—The term “foreign person” means any individual or entity that is not a United States person.

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

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

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

SEC. 1294. REPORT AND IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN ABUSES TOWARD DISSIDENTS ON BEHALF OF THE GOVERNMENT OF IRAN.

(a) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 45 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Attorney General, shall submit to the appropriate congressional committees a report that—

(A) includes a detailed description and assessment of—

(i) the state of human rights and the rule of law inside Iran, including the rights and well-being of women, religious and ethnic minorities, and the LGBTQ community in Iran;

(ii) actions taken by the Government of Iran during the year preceding submission of the report to target and silence dissidents both inside and outside of Iran who advocate for human rights inside Iran;

(iii) the methods used by the Government of Iran to target and silence dissidents both inside and outside of Iran; and

(iv) the means through which the Government of Iran finances efforts to target and silence dissidents both inside and outside of Iran;

(B) identifies foreign persons working as part of the Government of Iran or acting on behalf of that Government (including members of paramilitary organizations such as Ansar-e-Hezbollah and Basij-e Mostazafin), that the Secretary of State determines, based on credible evidence, are knowingly responsible for, complicit in or involved in ordering, conspiring, planning or implementing the surveillance, harassment, kidnapping, illegal extradition, imprisonment, torture, killing, or assassination of citizens of Iran (including citizens of Iran of dual nationality) and citizens of the United States both inside and outside Iran who seek—

(i) to expose illegal or corrupt activity carried out by officials of the Government of Iran;

(ii) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections, in Iran; or

(iii) to obtain, exercise, defend, or promote the rights and well-being of women, religious and ethnic minorities, and the LGBTQ community in Iran; and

(C) includes, for each foreign person identified subparagraph (B), a clear explanation for why the foreign person was so identified.

(2) **UPDATES OF REPORT.**—The report required by paragraph (1) shall be updated, and the updated version submitted to the appropriate congressional committees, during the 10-year period following the date of the enactment of this Act—

(A) not less frequently than annually; and

(B) with respect to matters relating to the identification of foreign persons under paragraph (1)(B), on an ongoing basis as new information becomes available.

(3) **FORM OF REPORT.**—

(A) **IN GENERAL.**—Each report required by paragraph (1) and each update required by paragraph (2) shall be submitted in unclassified form but may include a classified annex.

(B) **PUBLIC AVAILABILITY.**—The Secretary of State shall post the unclassified portion of each report required by paragraph (1) and each update required by paragraph (2) on a publicly available internet website of the Department of State.

(b) **IMPOSITION OF SANCTIONS.**—In the case of a foreign person identified under paragraph (1)(B) of subsection (a) in the most recent report or update submitted under that subsection, the President shall—

(1) if the foreign person meets the criteria for the imposition of sanctions under subsection (a) of section 1263 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note), impose sanctions under subsection (b) of that section; and

(2) if the foreign person does not meet such criteria, impose the sanctions described in subsection (c).

(c) **SANCTIONS DESCRIBED.**—The sanctions to be imposed under this subsection with respect to a foreign person are the following:

(1) **BLOCKING OF PROPERTY.**—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit

all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

(A) IN GENERAL.—

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

(I) inadmissible to the United States;

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

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

(ii) CURRENT VISAS REVOKED.—

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

(II) IMMEDIATE EFFECT.—A revocation under subclause (I) shall—

(aa) take effect immediately; and

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

(d) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional committees, not later than 15 days before the termination of the sanctions that—

(1) credible information exists that the person did not engage in the activity for which sanctions were imposed;

(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed; or

(3) the person has—

(A) credibly demonstrated a significant change in behavior;

(B) has paid an appropriate consequence for the activity for which sanctions were imposed; and

(C) has credibly committed to not engage in an activity described in subsection (a) in the future.

SEC. 1295. REPORT AND IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS CONDUCTING SIGNIFICANT TRANSACTIONS WITH PERSONS RESPONSIBLE FOR OR COMPLICIT IN ABUSES TOWARD DISSIDENTS ON BEHALF OF THE GOVERNMENT OF IRAN.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not earlier than 30 days and not later than 60 days after the Secretary of State submits to the appropriate congressional committees a report required by section 1294(a), the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report that identifies any foreign financial institution that knowingly conducts a significant transaction with a foreign person identified in the report submitted under section 1294(a).

(2) FORM OF REPORT.—

(A) IN GENERAL.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(B) PUBLIC AVAILABILITY.—The Secretary of the Treasury shall post the unclassified portion of each report required by paragraph (1) on a publicly available internet website of the Department of the Treasury.

(b) IMPOSITION OF SANCTIONS.—The Secretary of the Treasury may prohibit the opening, or prohibit or impose strict conditions on the maintaining, in the United

States of a correspondent account or a payable-through account by a foreign financial institution identified under subsection (a)(1).

SEC. 1296. EXCEPTIONS; WAIVERS; IMPLEMENTATION.

(a) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under sections 1294 and 1295 shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under section 1294(c)(2) shall not apply with respect to the admission of an alien to the United States if the admission of the alien is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(b) NATIONAL SECURITY WAIVER.—The President may waive the application of sanctions under section 1294 with respect to a person if the President—

(1) determines that the waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a report on the waiver and the reasons for the waiver.

(c) IMPLEMENTATION; PENALTIES.—

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

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 1294(b)(1) or 1295(b) or any regulation, license, or order issued to carry out either such section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 1297. EXCEPTION RELATING TO IMPORTATION OF GOODS.

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

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

SA 4859. Mr. RISCH (for himself, Mr. PORTMAN, Mr. CRUZ, Mr. BARRASSO, Mr. JOHNSON, Mr. COTTON, Mr. DAINES, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. 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 any corporate officer of an entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline or a successor entity; and

(2) impose sanctions under subsection (c) with respect to any entity described in paragraph (1).

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

(1) IN GENERAL.—

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

(i) inadmissible to the United States;

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

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

(B) CURRENT VISAS REVOKED.—

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

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

(I) take effect immediately; and

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

(c) BLOCKING OF PROPERTY OF IDENTIFIED PERSONS.—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of an entity described in subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) CONDITIONS FOR REMOVAL OF SANCTIONS.—Subject to review by Congress under section 216 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511), the President may waive the application of sanctions under this section if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees a report on the waiver and the reason for the waiver.

(e) IMPLEMENTATION; PENALTIES.—

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

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(f) EXCEPTIONS.—

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

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

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

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

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

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

(h) DEFINITIONS.—In this section:

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

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

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

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

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

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

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

(C) any person within the United States.

SEC. 1238. CONGRESSIONAL REVIEW OF WAIVER UNDER PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019.

Section 7503(f) of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note) is amended, in the matter preceding paragraph (1), by striking “The President” and inserting “Subject to review by Congress under section 216 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511), the President”.

SEC. 1239. APPLICATION OF CONGRESSIONAL REVIEW UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

Section 216(a)(2) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by inserting “(other than sanctions described in clause (i)(IV) of that subparagraph)” after “subparagraph (B)”;

and

(B) in clause (ii), by inserting “or otherwise remove” after “waive”; and

(2) in subparagraph (B)(i)—

(A) in subclause (II), by striking “; or” and inserting a semicolon;

(B) in subclause (III), by striking “; and” and inserting a semicolon; and

(C) by adding at the end the following:

“(IV) section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note); or

“(V) section 1237 of the National Defense Authorization Act for Fiscal Year 2022; and”.

SEC. 1240. INCLUSION OF MATTER RELATING TO NORD STREAM 2 IN REPORT UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

Each report submitted under section 216(a)(1) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(1)) relating to sanctions under section 1237 of this Act or section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note) shall include—

(1) an assessment of the security risks posed by Nord Stream 2, including—

(A) the presence along Nord Stream 2 or Nord Stream 1 infrastructure or pipeline corridors of undersea surveillance systems and sensors, fiber optic terminals, or other systems that are capable of conducting military or intelligence activities unrelated to civilian energy transmission, including those designed to enhance Russian Federation anti-submarine warfare, surveillance, espionage, or sabotage capabilities;

(B) the use of Nord Stream-affiliated infrastructure, equipment, personnel, vessels, financing, or other assets—

(i) to facilitate, carry out, or conceal Russian Federation maritime surveillance, espionage, or sabotage activities;

(ii) to justify the presence of Russian Federation naval vessels or military personnel or equipment in international waters or near North Atlantic Treaty Organization or partner countries;

(iii) to disrupt freedom of navigation; or

(iv) to pressure or intimidate countries in the Baltic Sea;

(C) the involvement in the Nord Stream 2 pipeline or its affiliated entities of current or former Russian, Soviet, or Warsaw Pact intelligence and military personnel and any business dealings between Nord Stream 2 and entities affiliated with the intelligence or defense sector of the Russian Federation; and

(D) malign influence activities of the Government of the Russian Federation, including strategic corruption and efforts to influence European decision-makers, supported or financed through the Nord Stream 2 pipeline;

(2) an assessment of whether the Russian Federation maintains gas transit through Ukraine at levels consistent with the volumes set forth in the Ukraine-Russian Federation gas transit agreement of December 2019 and continues to pay the transit fees specified in that agreement;

(3) an assessment of the status of negotiations between the Russian Federation and Ukraine to secure an agreement to extend gas transit through Ukraine beyond the expiration of the agreement described in paragraph (2); and

(4) an assessment of whether the United States and Germany have agreed on a common definition for energy “weaponization” and the associated triggers for sanctions and other enforcement actions, pursuant to the Joint Statement of the United States and Germany on support for Ukraine, European energy security, and our climate goals, dated July 21, 2021; and

(5) a description of the consultations with United States allies and partners in Europe, including Ukraine, Poland, and the countries in Central and Eastern Europe most impacted by the Nord Stream 2 pipeline concerning the matters agreed to as described in paragraph (4).

SA 4860. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Sanctions Relating to the Actions of the Russian Federation With Respect to Ukraine

SEC. 1291. DEFINITIONS.

In this subtitle:

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

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

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

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms “defense article” and “defense service” have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

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

(5) FOREIGN FINANCIAL INSTITUTION.—The term “foreign financial institution” has the meaning given that term in regulations prescribed by the Secretary of the Treasury.

(6) FOREIGN PERSON.—The term “foreign person” means an individual or entity that is not a United States person.

(7) KNOWINGLY.—The term “knowingly” with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

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

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

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

SEC. 1292. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the national security interests of the United States to continue and deepen the security partnership between the United States and Ukraine, including through providing both lethal and non-lethal assistance to Ukraine;

(2) aggression and malign influence by the Government of the Russian Federation in Ukraine is a threat to the democratic sovereignty of Ukraine, a valued and key partner of the United States;

(3) economic and financial sanctions, when used as part of a coordinated and comprehensive strategy, are a powerful tool to advance United States foreign policy and national security interests;

(4) the United States should expedite the provision of lethal and non-lethal assistance to Ukraine, and use all available tools to

support and bolster the defense of Ukraine against potential aggression and military escalation by the Government of the Russian Federation;

(5) the United States should work closely with partners and allies to encourage the provision of lethal and non-lethal assistance to support and bolster the defense of Ukraine; and

(6) substantial new sanctions should be imposed in the event that the Government of the Russian Federation engages in escalatory military or other offensive operations against Ukraine.

SEC. 1293. DETERMINATION WITH RESPECT TO OPERATIONS OF THE RUSSIAN FEDERATION IN UKRAINE.

Not later than 15 days after the date of the enactment of this Act, and periodically as necessary thereafter, the President shall—

(1) determine whether—

(A) the Government of the Russian Federation is engaged in or knowingly supporting a significant escalation in hostilities or hostile action in or against Ukraine, compared to the level of hostilities or hostile action in or against Ukraine prior to November 1, 2021; and

(B) if so, whether such escalation has the aim of undermining, overthrowing, or dismantling the Government of Ukraine, occupying the territory of Ukraine, or interfering with the sovereignty or territorial integrity of Ukraine; and

(2) submit to the appropriate congressional committees a report on that determination.

SEC. 1294. IMPOSITION OF SANCTIONS WITH RESPECT TO OFFICIALS OF THE GOVERNMENT OF THE RUSSIAN FEDERATION RELATING TO OPERATIONS IN UKRAINE.

(a) IN GENERAL.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall impose the sanctions described in subsection (d) with respect to each of the officials specified in subsection (b).

(b) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

(1) The President of the Russian Federation.

(2) The Prime Minister of the Russian Federation.

(3) The Foreign Minister of the Russian Federation.

(4) The Minister of Defense of the Russian Federation.

(5) The Chief of the General Staff of the Armed Forces of the Russian Federation.

(6) The Commander-in-Chief of the Land Forces of the Russian Federation.

(7) The Commander of the Aerospace Forces of the Russian Federation.

(8) The Commander of the Airborne Forces of the Russian Federation.

(9) The Commander in Chief of the Navy of the Russian Federation.

(10) The Commander of the Strategic Rocket Forces of the Russian Federation.

(11) The Commander of the Special Operations Forces of the Russian Federation.

(12) The Commander of Logistical Support of the Russian Armed Forces.

(c) ADDITIONAL OFFICIALS.—

(1) LIST REQUIRED.—Not later than 30 days after making an affirmative determination under section 1293(1), and every 90 days thereafter, the President shall submit to the appropriate congressional committees a list of foreign persons that the President determines are—

(A) senior officials of any branch of the armed forces of the Russian Federation leading any of the operations described in section 1293(1); or

(B) senior officials of the Government of the Russian Federation, including any

branch of the armed forces or intelligence agencies of the Russian Federation, engaged in planning or implementing such operations.

(2) IMPOSITION OF SANCTIONS.—Upon the submission of each list required by paragraph (1), the President shall impose the sanctions described in subsection (d) with respect to each foreign person identified on the list.

(d) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person under this section are the following:

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

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (b) or (c) is—

(i) inadmissible to the United States;

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

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

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien 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.

SEC. 1295. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall impose the sanctions described in subsection (c) with respect to 3 or more of the following financial institutions:

(A) Sberbank.

(B) VTB.

(C) Gazprombank.

(D) VEB.RF.

(E) RDIF.

(F) Promsvyazbank.

(2) SUBSIDIARIES AND SUCCESSOR ENTITIES.—The President may impose the sanctions described in subsection (c) with respect to any subsidiary of, or successor entity to, a financial institution specified in paragraph (1).

(b) ADDITIONAL FOREIGN FINANCIAL INSTITUTIONS.—

(1) LIST REQUIRED.—Not later than 30 days after making an affirmative determination under section 1293(1), and every 90 days thereafter, the President shall submit to the appropriate congressional committees a list of foreign persons that the President determines—

(A) are significant financial institutions owned or operated by the Government of the Russian Federation; and

(B) should be sanctioned in the interest of United States national security.

(2) IMPOSITION OF SANCTIONS.—Upon the submission of each list required by paragraph (1), the President shall impose the sanctions described in subsection (c) with respect to each foreign person identified on the list.

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

SEC. 1296. PROHIBITION ON AND IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS INVOLVING RUSSIAN SOVEREIGN DEBT.

(a) PROHIBITION ON TRANSACTIONS.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall prohibit all transactions by United States persons involving the sovereign debt of the Government of the Russian Federation issued on or after the date of the enactment of this Act, including governmental bonds.

(b) IMPOSITION OF SANCTIONS WITH RESPECT TO STATE-OWNED ENTERPRISES.—

(1) IN GENERAL.—Not later than 60 days after making an affirmative determination under section 1293(1), the President shall identify and impose the sanctions described in subsection (d) with respect to foreign persons that the President determines engage in transactions involving the debt—

(A) of not less than 10 entities owned or controlled by the Government of the Russian Federation; and

(B) that is not subject to any other sanctions imposed by the United States.

(2) APPLICABILITY.—Sanctions imposed under paragraph (1) shall apply with respect to debt of an entity described in subparagraph (A) of that paragraph that is issued after the date that is 90 days after the President makes an affirmative determination under section 1293(1).

(c) LIST; IMPOSITION OF SANCTIONS.—Not later than 30 days after making an affirmative determination under section 1293(1), and every 90 days thereafter, the President shall—

(1) submit to the appropriate congressional committees a list of foreign persons that the President determines are engaged in transactions described in subsection (a); and

(2) impose the sanctions described in subsection (d) with respect to each such person.

(d) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person described in subsection (b) or (c) are the following:

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

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (b) or (c) is—

(i) inadmissible to the United States;

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

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

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien 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.

SEC. 1297. IMPOSITION OF SANCTIONS WITH RESPECT TO NORD STREAM 2.

(a) IN GENERAL.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall impose the sanctions described in subsection (b) with respect to a foreign person that is—

(1) any entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline or a successor entity; and

(2) any corporate officer of an entity described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person under this section are the following:

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

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(2) is—

(i) inadmissible to the United States;

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

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

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien 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.

SEC. 1298. SANCTIONS WITH RESPECT TO RUSSIAN EXTRACTIVE INDUSTRIES.

(a) IDENTIFICATION.—Not later than 60 days after making an affirmative determination under section 1293(1), the President shall identify foreign persons in any of the sectors or industries described in subsection (b) that the President determines should be sanctioned in the interest of United States national security.

(b) SECTORS AND INDUSTRIES DESCRIBED.—The sectors and industries described in this subsection are the following:

(1) Oil and gas extraction and production.

(2) Coal extraction, mining, and production.

(3) Minerals extraction and processing.

(4) Any other sector or industry with respect to which the President determines the imposition of sanctions is in the United States national security interest.

(c) LIST; IMPOSITION OF SANCTIONS.—Not later than 90 days after making an affirmative determination under section 1293(1), the President shall—

(1) submit to the appropriate congressional committees a list of the persons identified under subsection (a); and

(2) impose the sanctions described in subsection (d) with respect to each such person.

(d) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person under subsection (c) are the following:

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

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

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

(i) inadmissible to the United States;

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

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

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien 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.

SEC. 1299. AUTHORIZATION FOR USE OF WAR RESERVE STOCKPILE FOR ARMED FORCES OF UKRAINE.

Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h) or any other authorized limits set in law, the Secretary of Defense, in concurrence with the Secretary of State, is authorized to transfer defense articles from any war reserve stockpile to Ukraine for the purpose of assisting and supporting the Armed Forces of Ukraine.

SEC. 1299A. USE OF DEPARTMENT OF DEFENSE LEASE AUTHORITY AND SPECIAL DEFENSE ACQUISITION FUND TO SUPPORT UKRAINE.

(a) USE OF SPECIAL DEFENSE ACQUISITION FUND.—The Secretary of Defense, in concurrence with the Secretary of State, shall utilize, to the maximum extent possible, the Special Defense Acquisition Fund established under section 51 of the Arms Export Control Act (22 U.S.C. 2795) to expedite the procurement and delivery of defense articles and defense services for the purpose of assisting and supporting the Armed Forces of Ukraine.

(b) USE OF LEASE AUTHORITY.—The Secretary of Defense, in concurrence with the Secretary of State, shall utilize, to the maximum extent possible, its lease authority, including with respect to no-cost leases, to provide defense articles to Ukraine for the purpose of assisting and supporting the Armed Forces of Ukraine.

SEC. 1299B. IMPLEMENTATION; REGULATIONS; PENALTIES.

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

(b) REGULATIONS.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this subtitle.

(c) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this subtitle or any regulation, license, or order issued to carry out this subtitle shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 1299C. EXCEPTIONS; WAIVER.

(a) EXCEPTIONS.—

(1) INTELLIGENCE ACTIVITIES.—This subtitle shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES.—Sanctions under this subtitle shall not apply to an alien if admitting the alien into the United States—

(A) is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) would further important law enforcement objectives.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

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

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

(b) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under this subtitle with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

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

SEC. 1299D. TERMINATION.

The President may terminate the sanctions imposed under this subtitle after determining and certifying to the appropriate congressional committees that the Government of the Russian Federation has—

(1) verifiably withdrawn all of its forces from Ukrainian territory that was not occupied or subject to control by forces or proxies of the Government of the Russian Federation prior to November 1, 2021;

(2) ceased supporting proxies in Ukrainian territory described in paragraph (1); and

(3) has entered into an agreed settlement with a legitimate democratic government of Ukraine.

SEC. 1299E. SUNSET.

The provisions of this subtitle shall terminate on the date that is 3 years after the date of the enactment of this Act.

**ORDERS FOR TUESDAY,
NOVEMBER 30, 2021**

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 30; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of H.R. 4350; further, that the Senate recess from 12:30 until 2:15