

The senior assistant legislative clerk read as follows:

A bill (S. 5355) to ensure that the National Advisory Council on Indian Education includes at least 1 member who is the president of a Tribal College or University.

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

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

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

The bill (S. 5355) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 5355

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Advisory Council on Indian Education Improvement Act” or the “NACIE Improvement Act”.

SEC. 2. NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION.

By not later than 180 days after the date of enactment of this Act and notwithstanding any other provision of section 6141 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7471), the President shall ensure that the National Advisory Council on Indian Education established under such section includes at least one member who is a president of a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

INVENT HERE, MAKE HERE ACT OF 2024

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration Calendar No. 475, S. 1956.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1956) to improve the commercialization of Federal research by domestic manufacturers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike out all after the enacting clause and insert the part printed in italic as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Invent Here, Make Here Act of 2024”.

SEC. 2. IMPROVEMENT OF COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.

Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

“(f) **COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.**—In order for the Institute to meet the need described in section 1(a)(1) and most effectively carry out the activities under subsection (c)(1) of this section, the Director shall—

“(1) coordinate with the Secretary of Defense, the Secretary of Energy, the Director of the Na-

tional Science Foundation, and industry organizations to identify domestic manufacturers that can develop commercial products based on completed research conducted by Federal agencies;

“(2) work with the Administrator of the Small Business Administration to identify domestic investors to support the development of commercial products based on research conducted by Federal agencies; and

“(3) maintain a publicly accessible and searchable database of domestic manufacturers and their capabilities with respect to commercialization of federally funded research.”.

SEC. 3. STUDY AND COMPREHENSIVE REVIEW OF COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.

Not later than 540 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall—

(1) complete a study and comprehensive review of the commercialization of Federal research by domestic manufacturers that—

(A) addresses—

(i) what barriers currently (as of the date on which the study is completed) exist for domestic manufacturers to commercialize Federal research; and

(ii) what role investment and the availability of investors plays in the encouragement or discouragement of the commercialization of Federal research by domestic manufacturers; and

(B) provides recommendations for modifications to the comprehensive strategic plan developed and implemented pursuant to section 107 of the American Innovation and Competitiveness Act (15 U.S.C. 272 note) to ensure that Federal science, engineering, and technology research is being transferred to domestic manufacturers to modernize manufacturing processes in accordance with section 2(b)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 272(b)(1)); and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on the Judiciary of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a report on the findings of the Director with respect to the study and review completed under paragraph (1).

SEC. 4. PREFERENCE FOR UNITED STATES INDUSTRY.

Section 204 of title 35, United States Code, is amended to read as follows:

“§ 204. Preference for United States industry

“(a) **DEFINITIONS.**—In this section:

“(1) **COUNTRY OF CONCERN.**—The term ‘country of concern’ has the meaning given the term ‘covered nation’ in section 4872(d) of title 10.

“(2) **RELEVANT CONGRESSIONAL COMMITTEES.**—The term ‘relevant congressional committees’ means—

“(A) the Committee on Commerce, Science, and Transportation of the Senate;

“(B) the Committee on the Judiciary of the Senate;

“(C) the Committee on Science, Space, and Technology of the House of Representatives; and

“(D) the Committee on the Judiciary of the House of Representatives.

“(b) **GENERAL PREFERENCE.**—Notwithstanding any other provision of this chapter, and subject to subsection (c), no small business firm or nonprofit organization which receives title to any subject invention and no assignee of any such small business firm or nonprofit organization shall grant to any person the exclusive right to use or sell any subject invention in the United States unless such person agrees that any products embodying the subject invention or produced through the use of the subject invention will be manufactured substantially in the United States.

“(c) **WAIVERS.**—

“(1) **IN GENERAL.**—In individual cases, subject to paragraphs (2) and (3), the Federal agency under whose funding agreement the applicable subject invention was made may waive the requirement for an agreement described in subsection (b) upon a showing by the applicable small business firm, nonprofit organization, or assignee that reasonable but unsuccessful efforts have been made to grant licenses on similar terms to potential licensees that would be likely to manufacture substantially in the United States or that under the circumstances domestic manufacture is not commercially feasible.

“(2) **REVIEW TIMELINE.**—Not later than 90 days after the date on which a Federal agency receives a request for a waiver described in paragraph (1) and with respect to which paragraph (3) does not apply, the Federal agency shall issue a decision regarding whether to grant the request.

“(3) **PROHIBITION ON GRANTING CERTAIN WAIVERS WITHOUT PRESIDENTIAL AUTHORIZATION.**—If granting a waiver under paragraph (1) would result in products embodying the applicable subject invention or produced through the use of the applicable subject invention being manufactured substantially in a country of concern, the applicable Federal agency may not grant the waiver without the written authorization of the President (or a designee of the President).

“(4) **ANNUAL REPORT TO CONGRESSIONAL COMMITTEES.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Invent Here, Make Here Act of 2024, and annually thereafter, each Federal agency with respect to which, during the preceding year, a nonprofit organization or small business firm that is a party to a funding agreement with the Federal agency elected to retain title under section 202 to the subject invention that was the subject of that funding agreement shall submit to the relevant congressional committees a report that includes the information described in subparagraph (B).

“(B) **CONTENTS.**—Each report required under subparagraph (A) shall include, for the period covered by the report—

“(i) with respect to each request received by the applicable Federal agency for a waiver under this subsection, information regarding—

“(I) the subject invention that is the subject of the request;

“(II) the efforts made by the entity seeking the waiver to grant the exclusive right to use or sell the applicable subject invention to a person that would agree that any products embodying the subject invention or produced through the use of the subject invention would be manufactured substantially in the United States; and

“(III) in which markets the products embodying the applicable subject invention or produced through the use of the applicable subject invention will be sold; and

“(ii) with respect to a small business firm or nonprofit organization that is based in the United States and has elected to retain title to a subject invention pursuant to section 202, whether that firm or organization intends to manufacture that subject invention in a foreign country for a foreign market.

“(C) **PRESERVATION OF CONFIDENTIALITY.**—Each Federal agency that is required to submit a report under this paragraph shall preserve the confidentiality or trade sensitive nature of all information included in each such report.”.

SEC. 5. AMENDMENTS TO THE DIRECTORATE FOR TECHNOLOGY, INNOVATION, AND PARTNERSHIPS.

Subtitle G of title III of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19101 et seq.) is amended—

(1) in section 10382—

(A) in paragraph (2), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) strongly encourage that products developed through research funded by the Directorate will be manufactured in the United States.”;

(2) in section 10383—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking “products,” and inserting “products that will be manufactured in the United States.”;

(B) in paragraph (4)(C), by inserting “producing,” after “capable of”;

(C) in paragraph (6), by striking “and” after the semicolon;

(D) in paragraph (7), by striking the period at the end and inserting “; and”;

(E) by adding at the end the following:

“(8) develop industrial capacity to produce innovations competitively in the United States for the global marketplace.”;

(3) in section 10384—

(A) in paragraph (1), by striking “and” after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(3) maximizes economic benefits by ensuring that innovations developed from research awards are produced in the United States.”;

(4) in section 10385—

(A) in subsection (b)(1), by striking “and commercialization” and inserting “commercialization, and domestic production”;

(B) in subsection (c)(2), by striking “and commercialization” and inserting “commercialization, and domestic production”;

(5) in section 10386(b)(2), by inserting “with domestic manufacturing operations” after “private sector”;

(6) in section 10389(a), by striking “and commercialization” and inserting “commercialization, and domestic production”;

(7) in section 10391(a), by striking “and commercialization” and inserting “commercialization, and domestic production”;

(8) in section 10394(f)(5), by striking “and, as appropriate, commercializing” and inserting “, commercializing, and producing”.

Mr. SCHUMER. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 1956), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

THINK DIFFERENTLY TRANSPORTATION ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 485, S. 4107.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4107) to require Amtrak to report to Congress information on Amtrak compliance with the Americans with Disabilities Act of 1990 with respect to trains and stations.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike out all after the enacting clause and insert the part printed in italic as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Think Differently Transportation Act”.

SEC. 2. REPORT ON AMTRAK ADA COMPLIANCE.

Section 24315(b) of title 49, United States Code, is amended—

(1) in paragraph (1)—

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

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(D) shall include an action plan for bringing Amtrak-served stations that are not in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) into compliance with such Act, as required by the settlement agreement entered into in 2020 between Amtrak and the Department of Justice;

“(E) shall include a status report on—

“(i) Amtrak-served stations for which Amtrak is solely responsible for compliance with such Act based on a station assessment carried out by Amtrak, including a timeline for any required compliance with such Act, as required by the settlement agreement;

“(ii) Amtrak-served stations for which Amtrak has a shared responsibility for compliance with such Act based on a station assessment carried out by Amtrak or by the party responsible for such compliance, including a timeline for any required compliance with such Act for the portions of the station for which Amtrak is the responsible party consistent with the terms of the settlement agreement, identifying who is responsible for compliance (and the status of the compliance of each responsible party with such Act) for such portions and the timeline for compliance in cases in which Amtrak is not the responsible party; and

“(iii) the status of compliance with such Act for all Amtrak-served stations for which Amtrak is not the responsible party, nor is responsible for a portion of the station, and identify the entity or entities that have responsibility for compliance with such Act, based on a station assessment carried out by Amtrak or the party responsible under such Act.”; and

(2) by adding at the end the following:

“(3) Amtrak may meet the requirements described in clauses (ii) and (iii) of paragraph (1)(E) by demonstrating that Amtrak took reasonable measures to obtain cooperation from responsible entities.

“(4) Amtrak shall submit the action plan and status report required under subparagraphs (D) and (E) of paragraph (1)—

“(A) annually while the settlement agreement referred to in paragraph (1)(D) is in effect; and

“(B) every 5 years beginning on the first day the settlement is no longer in effect.”.

Mr. SCHUMER. I further ask that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 4107), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDING THE MARINE DEBRIS ACT TO REAUTHORIZE THE MARINE DEBRIS PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 479, S. 3277.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3277) to amend the Marine Debris Act to reauthorize the Marine Debris Program of the National Oceanic and Atmospheric Administration.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 3277) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3277

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION OF THE MARINE DEBRIS PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

Section 9(a) of the Marine Debris Act (33 U.S.C. 1958(a)) is amended by striking “for” the first place it appears and all that follows through “carrying out” and inserting “for each of fiscal years 2018 through 2028 for carrying out”.

TOOLS TO ADDRESS KNOWN EXPLOITATION BY IMMOBILIZING TECHNOLOGICAL DEEPFAKES ON WEBSITES AND NETWORKS ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 4569 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4569) to require covered platforms to remove nonconsensual intimate visual depictions, and for other purposes.

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

Mr. WYDEN. Mr. President, I take seriously the stories of so many people who have had their lives torn apart by nonconsensual intimate imagery (NCII), and I share their urgency in addressing this scourge. To that end, I was happy to see the Senate pass the SHIELD Act earlier this year. I am all for taking on the criminals who terrorize others with nonconsensual or